

Mr. Boardman
Mr. Belmont
Mr. Baumgardner
Mr. Williams

SAC, Atlanta

December 13, 1956

Director, FBI

PERSONAL ATTENTION

CITIZENS COUNCILS
INTERNAL SECURITY - X

Although reports have been submitted to the Department on all citizens councils concerning which we have conducted investigations and inquiries to date, the Department has indicated the activities of these organization do not fall within the purview of Executive Order 10450. In view of this fact, there is no basis upon which to base justification for further inquiry. Therefore, you are instructed to immediately discontinue inquiries concerning all citizens councils upon receipt of this letter. It is your responsibility to also immediately notify auxiliary offices of the discontinuance of the investigation.

In order that the Bureau may continue to carry out its responsibilities of keeping interested Government agencies informed of information of interest to them, you must continue your efforts to keep abreast of developments in order that the Bureau may be apprised of any situation which indicates a potential for violence. In obtaining information, however, absolutely no inquiries are to be made by you. You must secure the desired information through close scrutiny of the public press plus whatever information may be volunteered to you.

2cc - Baltimore
2cc - Birmingham
2cc - Charlotte
2cc - Dallas
2cc - Detroit
2cc - Houston
2cc - Knoxville
2cc - Little Rock
2cc - Louisville
2cc - Memphis

2cc - Miami
2cc - Mobile
2cc - New Orleans
2cc - Norfolk
2cc - Oklahoma City
2cc - Richmond
2cc - St. Louis
2cc - San Antonio
2cc - Savannah
2cc - Washington Field

RECORDED

73 JAN 28

NOTE ON YELLOW: See memo Belmont to Boardman, 12-13-56,
FJ:CFW:gft, same caption.

FJB:CFW:hif (50)

ORIGINAL COPY FILED IN

Letter to SAC, Atlanta
Re: CITIZENS COUNCILS

With respect to the use of confidential informants, I want it clearly understood that no informant is to be given any assignment in connection with obtaining information regarding the activities of citizens councils without prior Bureau authority. If you have a confidential informant already reporting on citizens councils matters you may continue to accept information volunteered by the informant but you must not give him any additional assignments in this field. If you feel it is necessary for some specific reason to continue an informant in a particular citizens council you must immediately advise the Bureau, together with the identity of the informant, his reliability and your assurance that continued operation of the informant will not result in any embarrassment to the Bureau.

Each office receiving copies of this letter must submit to the Bureau a monthly summary of information concerning the activities of citizens councils in your respective territories. The first such letter is to be submitted to reach the Bureau by January 15, 1957, and each succeeding letter must be submitted to reach the Bureau by the fifteenth of each month. This summary, which shall consist of an original and seven copies, must be submitted in memorandum form suitable for dissemination and forwarded to the Bureau by cover letter. These summary memoranda and your cover letter must bear the caption "Citizens Councils, (name of field office)". Each of these summary memoranda must also be dated.

As in the past, information received concerning citizens councils which requires expeditious handling must not be delayed for inclusion in the monthly summary but must be furnished to the Bureau promptly by whatever means of communication is required by the nature of the information.

Letter to SAC, Atlanta
Re: CITIZENS COUNCILS

This matter must receive your personal attention and it is your responsibility, insofar as is possible, to see to it that the Bureau will continue to be in a position to furnish pertinent information concerning potential violence to interested Government agencies.

With respect to the administrative handling of current cases, you should submit a closing report within 30 days from the date of this letter. This report should incorporate any information which has been obtained to date not previously reported. If there is very little information to be reported, you may at your discretion submit a closing letter. On the administrative page of the closing report or in the closing letter make reference to this letter in order that the administrative handling at the Seat of Government may be facilitated.

The fact that we are discontinuing our inquiries concerning citizens councils is not to be discussed or made known in any manner to anyone outside your own office. This includes your confidential informants.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 1-14-57

FROM : SAC, New Orleans

SUBJECT: CITIZENS COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - XReBulet to Atlanta dated December 13, 1956, entitled
"CITIZENS COUNCILS, INTERNAL SECURITY - X."As instructed by Bulet to Atlanta 12-13-56, there
are attached copies of a monthly summary of information
concerning the activities of Citizens' Councils in the
New Orleans Division.It is pointed out that in all cases in this
category for individual councils, information is being
reported as instructed by referenced letter.

2 - Bureau (Enclosures 8) (Registered) (Air Mail)
1 - Memphis (Enclosure 1) (Registered) (Air Mail) (Info.)
1 - New Orleans (105-761)
RFC:eo
(4)

1cc send to Memphis by 06
6-2, ONI, OSI by R/S
1-28-57 J6K-2

RECORDED.
INDEXED.

105-34237-33-2

9 JAN 16 1957

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JAN 17 1957
ENCLOSURE

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for 1704 Ch

INT. SEC.

64 FEB 4 1957



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

New Orleans, Louisiana

January 14, 1957

In Reply, Please Refer to
File No.

Re: CITIZENS COUNCILS
NEW ORLEANS DIVISION

The New Orleans Division includes the state of Louisiana and the southern district of Mississippi.

The last bulletin which has been issued by the Citizens' Council of New Orleans is bulletin listed as numbers 4 and 5, for September - October, 1956. This bulletin states that the Citizens' Council of New Orleans is composed of area councils in New Orleans, Jefferson, St. Bernard and Plaquemines Parishes, and is affiliated with the Association of Citizens' Council of Louisiana, Inc.

The bulletin states, "The Citizens' Council of New Orleans composed of patriotic white citizens is non-sectarian and non-political, and is organized to maintain separation of the races by all legal and peaceful means for the general welfare and in the best interest of all the people of our community."

"The Shreveport Times," Shreveport, Louisiana newspaper, Page 13-A, November 28, 1956 issue, reported that after March 31, 1957, the presidency of the Citizens' Council of Shreveport, Louisiana, will rotate automatically among the Board of Directors on an alphabetical basis with a new president assuming office every three months. The article reported that this system is in effect in the Jackson, Mississippi Citizens' Council. It was stated that CHARLES L. BARNETT, local attorney, had been elected president of the Shreveport Citizens' Council, and also L. A. named executive vice-president of the Council on a permanent basis.

COPIES DESTROYED

21 MAY 10 1972

105-34237-33-2

The article stated that the Shreveport Citizens' Council is an independent organization and is affiliated with the Louisiana State Citizens' Council. It reported that the Shreveport Citizens' Council "is pledged to support, by all legal means, the doctrine of separation of equal facilities for both white and Negro races."

"The State Times," Baton Rouge, Louisiana newspaper, December 11, 1956 issue, Page 6-B, Column 1, reported that Louisiana Attorney General JACK GREMILLION had announced that Louisiana would send a Citizens' Council official to join other southern states in defending sixteen persons charged at Clinton, Tennessee, with interfering with school integration. He named WILLIAM SHAW, Special Counsel for the State Legislative Segregation Committee, and an officer of the Association of Citizens' Councils to go. Tel. 1-4

This same article reported that since March, 1956, more than 10,000 Negro voters have been "knocked off" voter rolls in Louisiana due mainly to an announced and organized drive by the Citizens' Council.

"The Shreveport Times," Shreveport, Louisiana newspaper, December 16, 1956 issue, Page 1, Column 4, referred to Louisiana State Senator W. M. RAINACH, as chairman of the powerful joint legislative committee on segregation, and also as president of the Louisiana Association of Citizens' Councils. RAINACH was quoted as stating there are now 75,000 Citizens' Council members. This article reported that leaders of the pro-segregation Citizens' Councils, bolstered by the effectiveness of their drives in north Louisiana, stated a new campaign "to rid voter rolls of illegally registered Negroes," will begin in the southern half of Louisiana. Senator RAINACH is reported as stating the latest campaign against what he calls illegal registration will get under way after January 1, 1957.

The December, 1956, issue of "The Citizens Council," published at Jackson, Mississippi, Volume 2, #3, listed as the official paper of the Citizens' Council of America and "dedicated to the maintenance of peace, good will and domestic tranquility in our community and in our state and to the preservation of our 'states rights,'" 1-4

reported the following on Page 4, Column 4:

The publication stated that the Louisiana Citizens' Council challenges have resulted in the elimination of 8,823 unlawfully registered Negroes' names from the voting rolls. It reported that the Louisiana State Board of Education has authorized state-supported colleges to demand certificates of eligibility and moral character from all students at the beginning of the next semester in accordance with a 1956 Legislative Act. The article reported that Citizens' Council leaders feel "that the certificate requirement will eliminate Negro students who are now attending white state-supported colleges and universities."

On Page 2, Column 1 of this same publication under the heading "Your Help is Needed," it is reported that The Educational Fund of the Citizens' Councils has now been chartered as a non-profit Mississippi corporation. It pointed out that contributions may be sent to Mr. ELLETT LAWRENCE, Finance Chairman, Citizens' Council, P. O. Box 886, Greenwood, Mississippi.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: January 16, 1957

FROM : SAC, New Orleans

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

ReBulet December 13, 1956, advising that closing reports or letters should be submitted in all of these cases prior to January 13, 1957.

The Bureau is advised that this action could not be taken in the following cases inasmuch as the Agent to whom they are assigned, after returning from annual leave, was engaged in an expedite civil rights investigation:

CITIZENS' COUNCIL OF OUACHITA PARISH, LOUISIANA;
CHOUDRANT CITIZENS COUNCIL;
CITIZENS' COUNCIL OF SPEARVILLE, LOUISIANA;
CALDWELL PARISH CITIZENS' COUNCIL;
FARMERVILLE CITIZENS COUNCIL;
SIMSBORO CITIZENS COUNCIL;
THE CITIZENS COUNCIL OF RUSTON, LOUISIANA;
HICO CITIZENS COUNCIL;
DUBACH CITIZENS COUNCIL;
JACKSON PARISH CITIZENS COUNCIL;
THE CITIZENS COUNCIL OF BERNICE, LOUISIANA, INC.

Closing reports or letters will be submitted prior to January 22, 1957.

2 - Bureau (Airmail - Registered)
1 - New Orleans (105-761)

MRK:sam
(3)

RECORDED -

18 JAN 17 1957

JAN 31 1957

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

105-34237-33-4

CHANGED TO

105-59844-X

MAY 15 1957

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 1-17-57

FROM : SAC, New Orleans

SUBJECT: CITIZENS COUNCIL OF HICO
INTERNAL SECURITY - X

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INDEXED - 63

In view of instructions contained in Bulet 12-13-56, entitled "CITIZENS COUNCILS, NEW ORLEANS DIVISION, IS-X," no further investigation is being conducted in this matter and the file is being closed in this office.

② - Bureau (Registered)
1 - New Orleans (105-703)
WED:eo
(3)

ALL INFORMATION CONTAINED
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DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

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EX-127

JAN 22 1957

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JAN 22 1957

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: January 21, 1957

FROM : SAC, New Orleans

SUBJECT: ~~THE CITIZENS COUNCIL OF~~
~~BERNICE, LOUISIANA, INC.~~
~~INTERNAL SECURITY - X~~CITIZENS COUNCIL — NEW ORLEANS *2-1*

In view of instructions contained in Bulet of December 13, 1956, entitled "CITIZENS COUNCILS, NEW ORLEANS DIVISION, IS - X," no further investigation is being conducted in this matter and the file in this office is being closed.

(2 - Bureau (Airmail - Registered)
1 - New Orleans (105-718)

WED:sam
(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

105-34237-sub-New Orleans

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January 31, 1957

SAC, New Orleans (105-781)

Director, FBI

RECORDED-16 105-31-3423-7
 EX-157
 CITIZENS' COUNCILS
 NEW ORLEANS DIVISION
 INTERNAL SECURITY - X

ReurAir-tel, 1/21/57.

You should make discreet arrangements to obtain two copies each future issue of "The Councilor Newsletter" for the use of the Bureau. This publication should be obtained on a regular basis and forwarded by routing slip marked to the attention of Central Research Section. You should also attempt to obtain two copies of the January, 1957, issue of this publication. This publication is published monthly by the Association of Citizens' Councils of Louisiana, Inc., Post Office Box 749, Homer, Louisiana. The subscription rate for the publication is \$2 per year.

You should continue to discreetly obtain two copies of the "Citizens' Council of New Orleans Bulletin" for the use of the Bureau and forward them by routing slip marked to the attention of Central Research Section.

The above publications should be handled according to instructions contained in SAC Letter No. 56-37 dated July 3, 1956.

You should maintain one copy of each issue of the above two publications in your files. It is for you to decide whether you wish to make a Photostat of each issue, or whether you prefer to obtain a subscription of each publication for your files.

NOTE: Mr. [redacted] Internal Security Section, advised that, "We would like to continue receiving 'Citizens' Council of New Orleans' and would also like them to subscribe to 'The Councilor.'" One copy of each publication will be forwarded to the Department of Justice; the other copy will be filed in Publications.

AMB:hem
 (8)

JAN 30 15 11 23

FBI - NEW ORLEANS

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

FBI

Date: January 21, 1957

Transmit the following message via AIR TELAIR MAIL

(Priority or Method of Mailing)

TO: DIRECTOR FBI
FROM: SAC NEW ORLEANS

Re: CITIZENS' COUNCILS.
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

There are attached for the information of the Bureau, the original and one Photostat of an item distributed by the Citizens' Council of New Orleans, P. O. Box 4223. Same was received by the New Orleans Office on January 18, 1957. The item is entitled "Citizens' Council of New Orleans - 1957?"

Also enclosed for the attention of the Bureau is an original and Photostat of the "Newsletter" entitled "The Councilor." Volume 1 of this newspaper indicates it is the December 1956 issue of the Association of Citizens Councils of Louisiana, Inc., P. O. Box 749, Homer, Louisiana. The subscription rate for this publication, which is monthly, is listed as \$2.00 per year.

At the present time, the New Orleans Office receives one subscription to items put out by the Citizens' Council of New Orleans, and it has been necessary to make Photostats of same in order that two copies can be sent to the Bureau and one retained by the New Orleans Office.

The New Orleans Office does not have any

1 - Bureau (Enclosures 4) (AM - Registered)
1 - New Orleans (105-761)
RFC:eo
(4)

ENCLOSURE

Mr. Belmont

RECORDED-16

15 JAN 23 1957

Approved: *[Signature]*

Special Agent in Charge

Sent *[initials]* M Per *[initials]*

67 FEB 8 1957

Mr. Tolson	
Mr. Nichols	
Mr. Boardman	
Mr. Belmont	
Mr. Mohr	
Mr. Parsons	
Mr. Rosen	
Mr. Tamm	
Mr. Trotter	
Mr. Nease	
Tele. Room	
Mr. Holloman	
Miss Gandy	

1 photostat
each enclosed
sent to Dept
1/25/57
1/10/57

Detach "The Councilor"

Approved: *[Signature]*

67 FEB 8 1957

F B I

Date:

Transmit the following message via _____

(Priority or Method of Mailing)

subscriptions presently to "The Councilor" publication of the Citizens' Council of New Orleans.

In view of instructions set out in Bureau letter to Atlanta dated December 13, 1956, entitled "CITIZENS' COUNCILS, INTERNAL SECURITY - X," it is requested that the Bureau advise whether the subscription to the "Citizens' Council of New Orleans" should be continued and any additional subscriptions obtained.

It is also requested that the Bureau advise whether three subscriptions for "The Councilor" should be obtained, two to be sent monthly to the Bureau and one to be retained by the New Orleans Office.

The subscriptions are obtained by having same sent to a ~~Post Office Box maintained~~ fictitious name and to a Post Office Box under this name maintained by the New Orleans Office.

CHILES.

- 2 -

Approved: _____
Special Agent in Charge

Sent _____ M Per _____

ENCLOSURES TO THE BUREAU

- (1) One original and one Photostat of item
entitled "Citizens' Council of New Orleans - 1957?"
- (2) One original and one Photostat of item
entitled "The Councilor"

RE: CITIZENS' COUNCILS
NEW ORLEANS DIVISION.
INTERNAL SECURITY - X

NO #105-761

REGISTERED

CHICAGO

RECEIVED

105-761

7

_____, 1956

_____ Mr. Boardman
 _____ Mr. Belmont
 _____ Mr. Sizoo
 _____ Mr. Cleveland
 _____ Mr. Moore
 _____ Mr. Baumgardner
 _____ Mr. Bland
 _____ Mr. Branigan
 _____ Mr. Roach

SUPERVISORS

_____ Mr. Bibler
 _____ Mr. Bly
 _____ Mr. [REDACTED]
 _____ Mr. [REDACTED]
 _____ Mr. Dise
 _____ Mr. Donohue
 _____ Mr. Dooley
 _____ Mr. Hall
 _____ Mr. [REDACTED]
 _____ Mr. Harrington
 _____ Mr. Kelly

_____ Miss [REDACTED]
 _____ Mrs. [REDACTED]
 _____ Mrs. [REDACTED]
 _____ Miss [REDACTED]
 _____ For information
 _____ Note and Return
 _____ Note and Forward
 _____ Per Call

_____ Mr. W.C. Sullivan
 _____ Mr. Scatterday
 _____ Mr. Ferris
 _____ Miss [REDACTED] 1742

Central
Research
 _____ Room _____

_____ Mr. Kleinkauf
 _____ Mr. Klemp
 _____ Mr. [REDACTED]
 _____ Mr. McNerney
 _____ Mr. [REDACTED] b6
 _____ Mr. [REDACTED] b7C
 _____ Mr. Mitchell
 _____ Mr. Morley
 _____ Mr. O'Connor
 _____ Mr. Reddy
 _____ Mr. Rose
 _____ Mr. Rozamus
 _____ Mr. Simpson
 _____ Mr. Sullivan
 _____ Mr. Thornton
 _____ Mr. Williams
 _____ RECORDS SECTION
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 _____ Status

We would like to continue
 receiving "Citizens Council
 of New Orleans" and
 would also like them to
 subscribe to "The Councilor".

 J.G. Kelly

Internal Security Section

Room- 1704

DISTRIBUTED BY THE
Citizens' Council of New Orleans

1957 ?

Thinking Americans throughout the country approach the New Year with forebodings and grave concern about what is happening to the basic principles upon which our great country was founded, that is, "a government of the people, by the people and for the people."

The people's concern is well founded in face of the flagrant abuse and usurpation of the rights of the individuals, and the sovereign rights of the states, by the Federal government.

In practically all phases of our lives, the encroachment of the unauthorized powers of the Federal government are being felt—in the fields of social security, health, public highways, business and many others too numerous to mention, including the vital field of education.

Through its grants-in aid and other so-called "benefits" the federal government is fast controlling the lives of all Americans. The power of the purse strings is being felt, but the irony of it is that we Americans furnish the money through our taxes to the federal government, and then the federal government uses its control of our money to try to force us to "tow the line." In effect, these bureaucrats whose salaries we pay, tell us "Do it our way or you can't enjoy the benefits we control."

Outrageous Abuse of Federal Power

The most shocking and outrageous abuse of government power was evidenced only a few weeks ago in Clinton, Tenn.

It may well be the first time in the history of any nation that a government used its coercive power to force racial integration upon an unwilling people and in so doing violated the basic principle of our United States' laws, that is, a person is presumed innocent until found guilty.

In Clinton, fifteen or more American citizens, including fathers, mothers and teenage school children were arrested, handcuffed, two by two, and their pictures broadcast on television throughout the country, then brought to the federal courthouse to be fingerprinted and put in jail until they furnished heavy bond for appearance. These people were treated like criminals and held up to scorn and ridicule before the public for having objected to racial integration of their public schools.

What makes this incident an outrageous violation of our basic American principles of the rights and dignity of the individual, is the fact that these people had not violated any criminal law. They were merely charged with violating a court injunction order. Now, the usual procedure against any person charged with violating a court injunction is for the court, on the motion of an interested party or his attorney, to cite the party charged to appear before a court and show cause why he should not be held guilty of contempt of court for violating the court's injunction and then punished accordingly if the court so orders.

But, it is only after a hearing on the rule for contempt that a person charged with violating a court injunction may be arrested and jailed if the court should so sentence him.

Unheard Of Court Procedure

It is unheard of in federal court procedure, or in any other court procedure in the States of the Union for warrants to be sworn against persons accused of violating a court injunction order, and it is also unheard of to have such persons charged with violating a court order to be arrested, handcuffed, photo-

graphed, televised, finger printed, jailed and held under thousands of dollars of bonds as common criminals when they had not violated any criminal law enacted either by Congress or by the State.

The Clinton horror should serve as a warning to Americans everywhere that something radically wrong has and is happening in Washington, for these Clinton citizens were arrested under orders from Washington.

Any person who has given thought and study to the drive of racial integration, amalgamation and mongrelization of the races, knows full well that this movement was started with the Communists' party and pushed through the party's stooges until it has been taken up as a political issue to cater to minority block votes on a national level.

Shameful and Disgraceful Incident

The Clinton incident is one of the most shameful and disgraceful in our American history. The parties responsible for such outrageous action against the free people of America should be held responsible or their action may well be a pattern that will be repeated to intimidate the people all over the country who refuse to accept the arbitrary bidding of the Federal office holders, as opposed to the laws and constitution of the United States.

Fortunately, our voice is not a single one in its cry against such outrageous violations of American principles. Throughout the country, the Clinton incident has brought forth the condemnation of thinking Americans. David Lawrence, syndicated columnist and defender of the people's rights, raises these pertinent questions. What happened to the government of the state of Tennessee and its governor? Is it still a state in the Union, or has it abdicated entirely to the federal government? Has it given up its exclusive right under the constitution to maintain law and order, to insist on trial by jury, and to punish through its own state courts all criminal cases of assault and battery and threats to the safety of an individual?

These are provocative and startling questions. Even more startling to Mr. Lawrence and to the rest of the thinking people of the country is the spectacle which followed the unprecedented court procedure, when a county attorney advised an assembly in an American high school in Clinton that its school faculty must become informers to American federal police, the FBI, and that there are "no limits" to the federal injunction which, he said, the students and parents must obey whether it relates to conduct inside, or outside the school building.

"What Can I Do In Face Of Such Force?"

It's a bleak New Year approaching when millions of people witness one of the most horrible crimes against the fundamental liberty and freedom of American citizens and so many of these people are content to stand by silently and with apparent indifference.

The lone man or woman may cry out, "What can I do in face of such force?" One thing for sure can be done, and that is to unify your efforts with the one organization that is fighting desperately to protect our individual rights and principles of our great republic—that organization is the Citizens' Council.

"Where there is unity, there is strength—where there is dis-unity, there is helplessness." This quote is from the eminent champion of the people's rights and the constitution of the United States, Judge Leander H. Perez, from whom all of the legal aspects referred to in this editorial were obtained.

REPRINT FROM THE PLAQUEMINES GAZETTE.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 2-6-57

FROM : SAC, New OrleansSUBJECT: CITIZENS COUNCILS
INTERNAL SECURITY - X

ReBulet to Atlanta 1-30-57.

The instructions in referenced letter will be carried out by the New Orleans Office.

The monthly summary will indicate the Bureau file as 105-34237 Sub 33.

- ② - Bureau (105-34237 Sub 33) (Registered)
2 - New Orleans (105-00-151)
(1 - NO 105-761)

RFC:eo
(4)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

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105-34237-33 - 6

EX-108

8 FEB 7 1957

52 FEB 12 1957

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: February 14, 1957

FROM : *Mr.* SAC, New OrleansSUBJECT: CITIZENS COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X*11/10*
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2/10
ReBulet to Atlanta 12/13/56 entitled "CITIZENS COUNCILS, INTERNAL SECURITY - X."

As instructed by refBulet, there are attached copies of a monthly summary of information concerning the activities of the Citizens' Councils in the New Orleans Division.

- 2 - Bureau (105-34237-sub 33) (Encl. 8) (Airmail - Registered)
- 1 - Memphis (Info) (Encl. 1) (Airmail - Registered)
- 1 - New Orleans (105-761)

RFC:sam
(4)*8*
ENCLOSURE
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Z FEB 18 1957*1cc encl*
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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

February 14, 1957

In Reply, Please Refer to
File No.

Re: CITIZENS COUNCILS
NEW ORLEANS DIVISION

The New Orleans Division includes the State of Louisiana and the Southern District of Mississippi.

The December, 1956, issue of "The Councilor," Volume 1, publication of the Association of Citizens Councils of Louisiana, Inc., reported that there are now fifty-nine organized Citizens Councils in Louisiana, including the Greater New Orleans Citizens Council with its nine area councils. The total membership was stated as running well over 75,000. The headquarters for the Association of Citizens Councils of Louisiana, Inc., is set out as Post Office Box 749, Homer, Louisiana. The principal officers of the Citizens Councils of Louisiana are listed in the publication as W. M. RAINACH, President; WILLIAM M. SHAW, Secretary; and PAUL R. DAVIS, Treasurer. RAYMOND R. MASLING is listed as Executive Director.

"The Councilor" reported Mr. RAINACH as stating that during the past year, the Council has been instrumental in enacting additional state laws to maintain separate school facilities, laws banning interracial participation in athletic and social events in Louisiana, and laws forbidding interracial seating at public events and the use of interracial sanitary facilities.

It pointed out that the Council had sponsored passage of the Louisiana law making it mandatory that students file certificates of eligibility and good moral character prior to their being admitted to public institutions of higher learning. Also, the legislature enacted into law a regulation calling for the removal of teachers if and when such teachers are found guilty of holding membership in or contributing to the support of any organization prohibited from operating in Louisiana by State law.

COPIES DESTROYED
21 APR 27 1972

ENCLOSURE

105-34237-33-9

"The Councilor" reported that work had been done by the organization in forming additional local units of Citizens Councils throughout the state. Mr. RAYMOND F. MASLING, Executive Director of the Association, was reported as being in charge of this phase of the work.

A leaflet distributed January 18, 1957, by the Citizens Council of New Orleans entitled "Citizens Council of New Orleans, 1957?", reported that the most "shocking and outrageous abuse of government power was evidenced only a few weeks ago in Clinton, Tennessee." The article stated "It may well be the first time in the history of any nation that a government used its coercive power to force racial integration upon an unwilling people and in so doing violated the basic principle of our United States' laws, that is, a person is presumed innocent until found guilty."

The "Times-Picayune," New Orleans, Louisiana, newspaper issue of January 21, 1957, quoted Louisiana State Senator W. M. RAINACH as criticizing the temporary restraining order issued on January 17, 1957, by United States District Judge HERBERT CHRISTENBERRY in New Orleans, which prevents Louisiana State University from denying registration to ARNEASE LUDLEY, twenty-three year old sociology graduate student "and all others similarly situated." The article indicated this would allow Negro graduate students to register at Louisiana State University without a State-required eligibility certificate.

The "Shreveport Times," Shreveport, Louisiana, newspaper, January 31, 1957, issue in an editorial entitled "Citizens Councils Repudiate Carter" reported that SAM M. ENGELHARDT, JR., President of the Citizens Councils of America and Executive Secretary of the Citizens Councils of Alabama, repudiated ASA CARTER, described in the editorial as "the gun-shooting Ku Klux Klansman of Alabama who also heads a small group of rabid racial organizations which have taken the name, 'North Alabama White Citizens Councils.'" The editorial

stated that the Shreveport, Louisiana, Citizens Council has also been active in calling for repudiation of the CARTER groups.

The January, 1957, issue of "The Citizens' Council," published at Jackson, Mississippi, and listed as the official paper of the Citizens Councils of America, reported the Citizens Council is "Dedicated to the maintenance of peace, good order and domestic tranquility in our Community and in our State and to the preservation of our States' Rights." Page one of the paper urged that contributions be made to the Educational Fund of the Citizens Councils, Box 886, Greenwood, Mississippi. Page four of this publication reports that the Mississippi Citizens Councils are organized in sixty-five counties and have a combined membership of 85,000.

The "Jackson Daily News," Jackson, Mississippi, newspaper, February 9, 1957, issue listed principal officers of the State Association of Citizens Councils. These officers were listed as ROBERT B. PATTERSON, State Secretary; R. P. PARISH, of Greenwood, Mississippi, Treasurer; ELLETT LAWRENCE, of Greenwood, Finance Committee Chairman; and W. J. SIMMONS, of Jackson, Mississippi, Administrator.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 3-15-57

FROM: SAC, New Orleans

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

ReBulet to Atlanta 12-13-56, entitled "CITIZENS' COUNCILS, IS-X," and New Orleans letter to the Director 2-14-57, captioned as above.

As instructed by refBulet, there are attached copies of a monthly summary of information concerning the activities of the Citizens' Councils in the New Orleans Division.

ENCLOSURE

- 2 - Bureau (105-34237-sub 33) (Encl. 8) (AM - Registered)
1 - Memphis (Info) (Encl. 1) (AM - Registered)
1 - New Orleans (105-761)
RFC:eo
(4)

cc encl
Lm 1704
PMD

1cc encl to Tompkins by 0-6
G-2, ONE, OSI by R1s
3-22-57
CFW-el

RECORDED-18
INDEXED-18

EX-117

5 MAR 18 1957

66 MAR 27 1957



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New Orleans, Louisiana
March 15, 1957

Re: CITIZENS' COUNCILS
NEW ORLEANS DIVISION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/99 BY SP-7muc/200
#289,001

The New Orleans, Louisiana, Division includes the state of Louisiana and the Southern District of Mississippi.

"The New Orleans Item," New Orleans, Louisiana, newspaper, February 2, 1957 issue, reported the resolution announced by Dr. Emmett Lee Irwin, chairman of the Citizens' Council of New Orleans, requesting the city and state to fight the bus desegregation suit in federal court and to seek a jury trial of the litigation. The article reported a portion of the resolution as follows:

"Be It Resolved 'That the Citizens' Council of New Orleans hereby respectfully calls upon and requests the constituted authorities of the State of Louisiana and the City of New Orleans to defend before the Courts the basic and constitutional American right of local self-government in the City of New Orleans against the audacious and insidious attempt to coerce and compel integration in the public transportation facilities of the City of New Orleans through coercive and compulsive judicial action under the so-called Fourteenth Amendment to the Constitution of the United States, to the end that the people of the City of New Orleans and the State of Louisiana may retain their right and power of self-government in local matters;

" 'Resolved Further, that the Citizens' Council of New Orleans also respectfully urges the constituted authorities of the State of Louisiana and the City of New Orleans to assert and defend the constitutional American right of trial by jury in the pending desegregation litigation to the end that a fair and impartial jury may perform in this suit the historic and constitutional function of the trier of the facts.' "

105-34227-10-10
ENCLOSURE
1

"The Alexandria Daily Town Talk," Alexandria, Louisiana, newspaper, February 18, 1957 issue, reported that Otis Edgerton, Jr., the president of the Rapides Parish Citizens' Council, termed Camille F. Gravel's stand on civil rights legislation "a classic example and not nearly the climax as to the outrageous actions some men will take to gain a purely political advantage." The article stated that Edgerton was commenting on the action of the Democratic National Advisory Council which urged southern Democrats to back pending legislation aimed at Civil Rights. The article stated that Gravel voted in favor of the measure and that Gravel is state national Democratic committeeman.

"The New Orleans States," New Orleans, Louisiana, newspaper, February 21, 1957 issue, Page 31, Column 6, reported that Dr. Emmett Lee Irwin, chairman of the Citizens' Council of New Orleans, referred to newspapers stories reporting that a petition signed by 125 citizens had asked New Orleans Public Service to desegregate its busses. The article quoted Irwin as saying the "same people" who signed this petition calling for bus integration had earlier petitioned that public schools be integrated. He stated that their petition regarding public schools was met by protest petitions presented to the New Orleans School Board and signed by over 17,000 white citizen taxpayers in New Orleans within a few days.

Dr. Irwin is reported as saying that the integration drive "is being sponsored by (Communist) fronts and aided by some unsuspecting do-gooders and dupes, who unwittingly are helping the Communists to bring about turmoil, strife and disunity throughout the land."

Dr. Irwin was reported as stating that the Council's Board of Directors had adopted a resolution urging "all peaceful efforts to maintain our right of segregation under the state laws for the regulation of race relations for maintenance of peace and good order in this community."

The article reported, "The resolution says the local council will 'avoid all show of force and violence in any crisis which may develop as a result of said attempt to use the federal courts to force racial integration upon our unwilling free people.' "

"The Citizens' Council," February, 1957 issue, published at Jackson, Mississippi, and listed as the official paper of the Citizens' Council of America, reported the Citizens' Council is "dedicated to the maintenance of peace, good order and domestic tranquillity in our community and in our state and to the preservation of our states rights."

In an editorial it is pointed out that "Seemingly hostile individuals in some news agencies and some commentators have by implication associated recent incidents in Tennessee and Alabama with the entire Citizens' Council Movement. The editorial pointed out that spokesmen for the responsible State Associations have repeatedly stated that their organizations did not concur or have connections with such unilateral action. The editorial pointed out that the press has carried these statements and in several southern states they have been given wide dissemination, and "our people have become educated to the fact that the hundreds of local Citizens' Councils and the dozen state associations can no more be responsible for some misguided individual than a southern Methodist can be responsible for an Episcopalian standing on a street corner in Brooklyn, New York."

The editorial pointed out that under tremendous pressures and difficulties these State Associations have handled the situations with rectitude and admirable balance.

The editorial pointed out that the Citizens' Councils have prevented violence and will continue to do so. It concluded with the statement, "If violence occurs, the responsibility rests solely upon the United States Supreme Court, and upon those misguided individuals and guided pressure groups who brought the court to this tragic place. It also rests upon those who exploit the blunders related thereto."

The editor of "The Citizens' Council" was listed as W. J. Simmons. Miss

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: March 21, 1957

FROM : SAC, NEW ORLEANS

SUBJECT: ① CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X
 00: New Orleans

Rebulet 1/31/57.

Discreet arrangements have been made by this office through subscriptions to obtain each future issue of "The Councilor Newsletter," publication of the Citizens' Councils of Louisiana, Incorporated, P. O. Box 749, Homer, Louisiana. Efforts have been and are being made to determine if this publication was issued for January and February, 1957, in order that copies can be forwarded to the Central Research Section, if obtained.

Discreet arrangements have also been made through subscriptions for all publications of the Citizens' Council of New Orleans, and for the Citizens' Councils of Mississippi, including "The Citizens' Council", published at Jackson, Mississippi, the official paper of the Citizens' Councils of America. These publications are being sent to the Central Research Section of the Bureau as instructed, whenever received.

- ② - Bureau (RM) (105-34237)
 2 - New Orleans (105-761) (105-587)

RFC:aeb
 (4)

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 10/24/89 BY SP-7 *mmc/10/24/89*
 #289,001

RECORDED - 8

24 MAR 25 1957

EX-116

APR 4 1957

UNRECORDED COPY FILED IN 105-40774-

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 4-15-57

FROM : SAC, New Orleans

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

ReBulet to Atlanta 12-13-56, entitled "CITIZENS' COUNCILS, IS-X," and New Orleans letter to the Director 3-15-57, captioned as above.

As instructed by refBulet, there are attached copies of a monthly summary of information concerning the activities of the Citizens' Councils in the New Orleans Division.

ENCLOSURE
5-127

- 2 - Bureau (105-34237-sub 33) (Enclosures 8) (AM - Registered)
1 - Memphis (Info) (Encl. 1) (AM - Registered)
1 - New Orleans (105-761)

RFC:eo
(4)

1cc send to Tompkins, Olney, 4-10-57
6-2, ONI, OSI by R/S

4-29-57

JCK-el

RECORDED - 50
INDEXED - 50

105-34237-23-12

cc encl
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EX-127

APR 18 1957

INDEXED

228

APR 30 1957



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New Orleans, Louisiana
April 15, 1957

Re: CITIZENS' COUNCILS
NEW ORLEANS DIVISION

The New Orleans, Louisiana, Division includes the state of Louisiana and the Southern District of Mississippi.

The March 1957 issue of "The Councilor," Volume I, No. 4, publication of The Association of Citizens Councils of Louisiana, Inc., reported that the State Association of Citizens Councils of Louisiana was organized on January 27, 1956, and set out the financial report for the organization, ending December 31, 1956.

The financial report reflects that the organization received \$16,060.06 in funds in 1956. Expenditures were \$15,243.66, and amount on hand was \$816.40.

"The Councilor" pointed out the need for the Association to have funds for operation, stating that there were 903,959 registered voters in Louisiana on October 6, 1956, and pointed out that it is desirable to write every registered voter about the work of the Association.

"The Councilor" pointed out that the Shreveport Council is continuing its 1957 membership drive, and has been active in presenting, through appropriate resolutions, its views on civil rights legislation.

"The New Orleans Item," New Orleans newspaper, 3-31-57 issue, Page 4, Columns 5 and 6, reported that the Citizens Council of New Orleans, through its chairman, Dr. EMMETT L. IRWIN, had issued a statement protesting to Congress and the public against the pending "civil rights" legislation.

COPIES DESTROYED

21 APR 27 1972

105-34237-33-12

ENCLOSURE

"The Times-Picayune," New Orleans newspaper, 4-12-57 issue, Page 18, Columns 4 and 5, reported that the Executive Committee of the Citizens Council of New Orleans had sent a resolution to the Mayor, urging the City to cease hiring Negro policemen and police women.

"The Citizens' Council," March 1957 issue, published at Jackson, Mississippi, and listed as the official paper of the Citizens' Councils of America, reported that Citizens' Council is "Dedicated to the maintenance of peace, good order and domestic tranquillity in our community and in our state and to the preservation of our States Rights." The paper reports in detail the action of the Georgia Legislature to start impeachment proceedings against six justices of the United States Supreme Court.

In an editorial entitled "Key Words as Weapons," the article called attention to the technique made by certain writers in changing the name "Citizens' Councils" to "White Citizens' Councils."

The editorial pointed out the reason apparent to observers for adding the word "White" is to make the Citizens' Councils appear to public mind as groups of "wild-eyed racists and fanatical extremists" instead of "representing a true cross section of community attitudes toward race relations, as they do."

"The Jackson Daily News," Jackson, Mississippi newspaper, Page 1, Column 2, reported that Governor J. P. COLEMAN of Mississippi was reported as prepared to arrest and jail "imported agitators" on either side of the segregation question. The article reported that the authority for same was the 1956 act which provides for prison sentences up to a year for "fomenting and agitation of litigation," or seeking or accepting funds for lawsuits." The article reported Mississippi Attorney General Joe T. Patterson as stating, "There is no room in Mississippi for the likes of John Kasper or Ace Carter, or revival of the Ku Klux Klan. I think the people of Mississippi are capable of looking after these matters (maintaining segregation) without resorting to those three."

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: 5-15-57

FROM : SAC, New Orleans

SUBJECT:

CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

ReBulet to Atlanta 12-13-56, entitled "CITIZENS' COUNCILS, IS-X," and New Orleans letter to the Director 4-15-57, captioned as above.

As instructed by refBulet, there are attached copies of a monthly summary of information concerning the activities of the Citizens' Councils in the New Orleans Division.

- ② - Bureau (105-34237-sub 33) (Enclosures 8) (AM - Registered)
1 - Memphis (Info) (Encl. 1) (AM - Registered)
1 - New Orleans (105-761)

RFC:eo

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INDEXED-3
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EX-107

FBI

INTERNAL SECURITY - X

MAY 17 1957

ENCLOSURE

71 MAY 28 1957

105-34237-33-13

23 MAY 20 1957

X-107



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New Orleans, Louisiana
May 15, 1957

Re: CITIZENS' COUNCILS
NEW ORLEANS DIVISION

The New Orleans, Louisiana, Division includes the state of Louisiana and the Southern District of Mississippi.

The April, 1957 issue of "The Councilor," Volume 1, No. 5, publication of The Association of Citizens Councils of Louisiana, Inc., reports as follows:

The first State-wide meeting of officials of local councils was held in Alexandria, Louisiana, on Sunday, March 24, 1957. There were 32 Councils and 22 parishes represented by 119 who attended. A detailed report regarding this meeting was sent to all officers and board directors of Citizens' Councils throughout the state of Louisiana.

At this meeting, it was determined that January 1 of each year should be recommended to the local Citizens' Councils as the termination date of memberships secured by each Council during the preceding year. Also, the Chairman of the State-wide meeting of Citizens' Councils Officials was authorized to appoint a committee of five members to assist a similar committee of the State Association in drafting a plan to re-organize the State Association so that the local Councils would participate in the selection of the members of the Board of Directors of the State Association, this also to include such other re-organization of the State Association as might be advisable. It was recommended that the same Committee in cooperation with the Committee of the State Association draft a plan for organized financing of the State Association by the local Councils. It was also decided that a meeting of the Board of Directors and the officials of the local Councils and of the State Association be held not later than six months from March 24, 1957, to consider the re-organization and finance plans drafted by the Committees.

COPIES DESTROYED
21 APR 27 1972

105-34237-33-13

ENCLOSURE

This issue of "The Councilor" also reported that on April 1, 1957, Attorney General Jack P. F. Gremillion of the State of Louisiana made a speech at the Lisbon High School in Claiborne Parish at a rally sponsored by the Citizens' Council of Lisbon, Louisiana.

At this time, Gremillion, according to "The Councilor," stated that as a state official he pledged himself to enforce Louisiana laws on segregation as long as he holds the office of attorney general.

Gremillion is further quoted as stating that Communism is behind the integration movement and declared, "This has been proved by the recent hearings on subversion and racial unrest conducted in Baton Rouge by the Joint Legislative Committee on Segregation." Gremillion further stated that he will prosecute under state laws any Communist found in Louisiana. He attacked the Supreme Court decision in the case of Pennsylvania vs. Nelson, which he said "deprived the states of their rights to defend themselves against Communism."

"The Councilor" publication reflects that it is published monthly at Homer, Louisiana, by the Association of Citizens' Councils of Louisiana, Inc., Frances P. Mims, Editor.

"The Citizens' Council," April 1957 issue, published at Jackson, Mississippi, and listed as the official paper of the Citizens' Councils of America, reported that the Citizens' Council is "Dedicated to the maintenance of peace, good order and domestic tranquillity in our community and in our state and to the preservation of our States Rights."

This article sets out detailed information regarding the Educational Fund of the Citizens' Council.

The article stated the purposes of this fund are as follows:

1. Publish and distribute nationwide factual literature presenting the case of States' rights and racial integrity.
2. Initiate a movement to enter the national information media, such as the national press services, television, radio, national

publications and the motion picture industry.

The article reflected that contributions to the Educational Fund are to be sent to the Educational Fund of the Citizens' Councils, P. O. Box 886, Greenwood, Mississippi.

CC Liaison Section
CC Mr. Kelly

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

105-34237-33 - 14

RECORDED - 53

Date: June 24, 1957

To: Assistant Chief of Staff, Intelligence
Department of the Army
The Pentagon
Washington 25, D. C.

Attention: Chief, Security Division

From: John Edgar Hoover, Director
Federal Bureau of Investigation

Subject: CITIZENS COUNCILS
INTERNAL SECURITY - X

Enclosed herewith for your information
is a copy of a memorandum prepared by the New Orleans
Office of this Bureau dated June 11, 1957, concerning
captioned matter.

Enclosure

- 1 - Director of Naval Intelligence (Enclosure)
- 1 - Office of Special Investigations (Enclosure)
Air Force BY COURIER SERVICE

cc Assistant Attorney General (Enclosure)
William F. Tompkins (By Form 0-6, same date)

cc Assistant Attorney General (Enclosure)
Warren Olney III (By Form 0-6, same date)

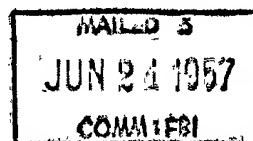
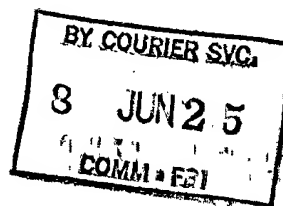
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JUN 28 1957

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: June 11, 1957

FROM : SAC, New Orleans

SUBJECT: *By [signature]*
CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

1/2
ReBulet to Atlanta 12-13-56, entitled "CITIZENS' COUNCILS, INTERNAL SECURITY - X," and New Orleans letter to the Bureau dated May 15, 1957, captioned as above.

In accordance with the instructions in referenced Bulet, there are attached copies of a Monthly Summary containing information concerning the activities of the CITIZENS' COUNCILS in the New Orleans Division.

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Tompson - 6/11/57
copy of enclosure
Gibbs: add 6/15/57
100-1704
Gibbs: add*
-
- 2 - Bureau (105-34237 Sub 33) (Enclosures 8) (AM - Registered)
-
- 1 - Memphis (Info) (Encl. 1) (AM - Registered)
-
- 1 - New Orleans (105-761)

ECW:eo
(4)

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INDEXED - 82

EX-117

105-34-125 14
20 JUN 13 1957ENCLOSURE
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INT. SEC.



UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

In Reply, Please Refer to
File No.

New Orleans, Louisiana
June 11, 1957

Re: CITIZENS' COUNCILS
NEW ORLEANS DIVISION

The New Orleans, Louisiana, Division includes the state of Louisiana and the Southern District of Mississippi.

The May 1957 issue of "The Councilor," Volume 1, No. 6, official publication of The Association of Citizens Councils of Louisiana, Inc., reported that two new councils had been organized within the past month and that several others were in the process of reorganizing for 1957. "The Councilor" reported that membership drives were underway in fourteen councils with reports of greater enrollment in all of them.

"The Councilor" stated the State Association Office has received evidence of the awakening of our people to the important struggle, and is happy to announce that as of press time, "The Councilor" has a paid subscription list of more than 12,000.

This same issue of "The Councilor" announced that an invitation had been extended to the general public to participate in the event marking the third anniversary of the infamous Black Monday Decision of the Supreme Court by the Shreveport Council. It was stated that Congressman JOHN BELL WILLIAMS would address a rally which was to be held at the Byrd High School Auditorium at 7:30 p.m., May 17. "The Councilor" urged that Council members and others interested attend.

"The New Orleans Times-Picayune," New Orleans

COPIES DESTROYED
21 APR 27 1972

105-24222-23 ENCLOSURE

copy of enclosure
to Mr. and Mrs.
T. J. Williams - Shreveport
6/24/57
J. B. Williams
copy returned to
him 1704 P.M.

daily newspaper in its issue of May 16, 1957, page 5, column 5, reported that a mass meeting was scheduled to be held by the Metairie Citizens' Council at 8:00 p.m., May 28, to discuss the latest developments in a movement to preserve racial segregation.

"The Times-Picayune" in its issue of May 29, 1957, page 26, columns 4-6, reported that Walter J. Suthon, Jr., New Orleans attorney, at a meeting of the Metairie Citizens' Council in the Metairie Junior High School, stated that the South would be subjected to despotic and dictatorial rule if a national Civil Rights law were passed.

Suthon was quoted as saying that the South was threatened by rule from Washington by dictatorship oligarchy. He said the greatest objection was the transfer of all power from the local community to the national government in Washington. He declared that if the Southern people would stand guard and say, "NO," they would not be subjected to integration.

The May, 1957, issue of "The Citizens' Council," Volume 2, No. 8, official publication of the Citizens' Council of America, devoted almost the entire issue to publishing the records of ten leaders of the National Association for the Advancement of Colored People, as introduced in evidence at the hearings in Baton Rouge in March, 1957, of the Louisiana Joint Legislative Committee.

"The Citizens' Council" stated, "It was felt that the importance of this subject, and the grim necessity for you to have the facts, warranted the departure from our customary format."

This same issue of "The Citizens' Council" on page 4, reported that the Mississippi Citizens' Councils entered a new phase of their educational program. It reported that on April 29, the Councils inaugurated a regular weekly television series over WLBT, Channel 3, in Jackson, Mississippi, named "Citizens' Council Forum." The article reported that this television program was produced by the Jackson Office, and that the fifteen-minute live telecast is intended to acquaint the public with the serious problems affecting states rights and race relations and with steps being taken to meet them.

The article reported that the guest appearing on the initial program was Ellis W. Wright, president of the Jackson Citizens' Council and a member of the State Executive Committee, and Marvin McCollum, treasurer of the Jackson Citizens' Council.

The article further reported that a special guest on the May 6th program was Sgt. ~~Hubert~~ Badeaux, Agent in Charge, Division of Intelligence Affairs of the New Orleans, Louisiana, Police Department, who spoke on "Techniques of Communist Subversion."

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : *sa*
SAC, New Orleans

DATE: June 20, 1957

SUBJECT: CITIZENS COUNCILS AND STATES'
RIGHTS MOVEMENTS
INTERNAL SECURITY - X

ReBulet April 23, 1957.

Referenced letter stated Bureau files failed to reflect receipt of report in the following cases involving Citizens Councils in which Civil Rights investigations were conducted by the New Orleans Office:

Citizens Council of Bienville Parish
Citizens Council of Caldwell Parish
Citizens Council of DeSoto Parish
Citizens Council of LaSalle Parish
Citizens Council of Lincoln Parish
Citizens Council of Rapides Parish

A review of the files in this office reflect that the required reports have now been submitted in each of the following cases:

"Citizens Council of Bienville Parish" is identical with New Orleans case entitled "Citizens' Council of Arcadia" (BuFile 105-48558) (NO 105-649). Report of SA [redacted] New Orleans, 4-20-57, entitled "Citizens' Council of Arcadia, IS-X" reports the required information in this case.

The report of SA [redacted] New Orleans, 5-27-57, entitled "Caldwell Parish Citizens' Council" reports the required information in this case. (BuFile 105-50956) (NO File 105-673)

2 - Bureau (105-34237) (Registered Mail)
1 - New Orleans (105-587)

RFC:eo
(3)

RECORDED - 30

105-34237-33-15
18 JUN 21 1957
[Signature]

58 JUN 21 1957

NO 105-587

The report of SA Paul G. Taylor, New Orleans, 4-19-57, entitled "The Citizens' Council of DeSoto Parish, Louisiana, Inc., IS-X" reports the required information in this case. (BuFile 105-49819) (NO File 105-643)

The report of SA [redacted], New Orleans, 4-30-57, entitled "Citizens Council of LaSalle Parish, Inc., IS-X" reports the required information in this case. (BuFile 105-53056) (NO 105-684)

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b7C

"Citizens Council of Lincoln Parish" is identical with The Citizens' Council of Ruston, Louisiana. The report of SA Ernest C. Wall, Jr., New Orleans, 4-19-57, entitled "The Citizens' Council of Ruston, Louisiana, IS-X" reports the required information in this case. (BuFile 105-54105) (NO 105-702)

With reference to the "Citizens Council of Rapides Parish," (BuFile 105-49718) by letter dated May 10, 1957, entitled "Citizens Council of Rapides, Inc., IS-X," The Bureau was advised that a review of New Orleans File 44-777, entitled "White Citizens Council of Rapides Parish, Louisiana; [redacted]

b6
b7C

[redacted] et al - Victims, Civil Rights; Election Laws," reflects that all pertinent information developed in this investigation indicating that this council was active in attempting to disenfranchise Negro voters, has been previously reported in the case entitled "Citizens Council of Rapides, Inc., IS-X." Also, reports in that case had been properly disseminated.

The above reflects that all required reports in captioned case as instructed by Bureau letters dated January 4, 1957 and March 19, 1957, have now been submitted by the New Orleans Office.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

DATE: July 16, 1957

FROM : SAC, New Orleans

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

Re Bulet to Atlanta June 5, 1957, entitled
"Citizens' Councils, IS-X."

As instructed by referenced letter, the New Orleans Office is discontinuing submitting monthly summaries in captioned case. However, the Bureau will be advised of pertinent information as instructed by referenced Bureau letter 6-5-57.

- ③ - Bureau (105-34237 Sub 33) (Registered Mail)
(1 - 105-34237)
2 - New Orleans (105-761) (105-587)
RFC:eo
(5)

RECORDED - 30

JUL 19 1957

60 JUL 23 1957

UNRECORDED COPY FILED IN

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: July 26, 1957

FROM : SAC, NEW ORLEANS

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - XRe New Orleans letter to Bureau dated
July 16, 1957.

By an appropriate telephone pretext,
information was received on July 19, 1957, from the
office of the Citizens' Council of New Orleans, Balter
Building, that the Citizens' Council Bulletin has now
been discontinued by the Citizens' Council of New
Orleans.

No further bulletins will be issued.

Place copy
in 100-415462;
also 105-40774.
frts.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/24/99 BY SP-7 mac/ps
#289,061

CENTRAL REGISTER

- ③ - Bureau (105-34237 Sub 33) (Registered Mail)
(1-105-34237)
2 - New Orleans (105-761) (105-587)
RFC:ejf
(5)

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105-34237-33-17

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105-34237-✓

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Jantoul

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

ATTENTION:
GENERAL RESEARCH
SECTION

DATE: 8-22-57

FROM : SAC, New Orleans

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

ReBulet to Atlanta 6-5-57, entitled "Citizens' Councils,
IS-X."Attached are two copies each of the following
publications:

- (1) "The Councilor Newsletter," A Monthly Publication
of the Association of Citizens Councils of
Louisiana, Inc. (July 1957)
- (2) "The Citizens' Council," Official Paper of the
Citizens' Councils of America (July 1957)
- (3) "The Citizens' Council," Official Paper of the
Citizens' Councils of America (August 1957)

2 - Bureau (105-34237 Sub 33) (Enclosures 6) (RM)
1 - New Orleans (105-761)
RFC:eo
(3)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

RECORDED - 25

105-34237-33-18

EX-131

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157

CENTRAL 1 - 100

INT. SEC.
File 105-34237

52 SEP 12 1957

/ 35

1 copy each encl.
detached in CRS, reinter
+ filed in Publications
sub B.

ENCLOSURE

1 copy each encl.
sent to Thompson by R/S
9/9 Jm + 5

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-34237 Sub 33)

DATE: September 12, 1957

FROM : SAC, NEW ORLEANS (105-76)

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

(OO: NEW ORLEANS)

ReBulet to Atlanta, 6/5/57, entitled
"CITIZENS' COUNCILS, IS-X."

Enclosed are two Photostats of a letter received through the mail on September 9, 1957, dated September 3, 1957, from the Citizens' Council of New Orleans, P.O. Box 4223, New Orleans, Louisiana, listing the progress of the CITIZENS' COUNCIL.

There are also enclosed two copies of a handbill announcing the CITIZENS' COUNCIL OF NEW ORLEANS meeting to be held Tuesday, September 17, 1957, at the Municipal Auditorium, New Orleans, the principal speaker to be the Rev. CAREY DANIELS, pastor of the First Baptist Church of Dallas, Texas.

The above is being furnished for the information of the Bureau and a copy of this letter has been designated for the information of Dallas inasmuch as the Rev. CAREY DANIELS resides in Dallas, Texas.

*1cc genl to RAB by 0-6
9-19-57
JGK-21*

② - Bureau (Encs. - 4) REGISTERED
1 - Dallas REGISTERED
1 - New Orleans
RFC:ejf
(4)

58 SEP 19 1957 7211

4 ENCLOSURE
90
EX-131

RECORDED-90

INDEXED - 90

EX-131

105-34237-33-19

12 SEP 13 1957

INT. SEC.

ENCLOSURE TO BUREAU

Two Photostats of let dated 9/3/57 from Citizens' Council of New Orleans

Two copies of handbill announcing Citizens' Council of New Orleans meeting 9/17/57.

RE: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS



105-34237-38-19

ENCLOSURE

Citizens' Council of New Orleans

Raymond 9182 - 9183
323 Balter Building
New Orleans 12, La.

Dear Member:

September 3, 1957

There are many who do not know that your Citizens' Council is actively engaged in the problems of maintaining segregation in your area, and there are many who are asking, "What is the Citizens' Council doing?"

Over the past years your Council has worked on hundreds of projects with a great deal of success. It is constantly on the watch for attempted integration in schools, hotels, theatres, restaurants, etc., and is guarding against undesirable text books in our local schools. The Council fought successfully to bring about many new and vitally important segregation laws passed by the Louisiana Legislature in 1956 and has engaged vigorously in the effort being made to preserve racial segregation in the public schools. It was highly instrumental in securing the signatures of 15,000 persons urging the Orleans Parish School Board to maintain segregation in the public schools of New Orleans and has also been instrumental in making the United Fund realize that the Urban League should not be supported by the donations of the New Orleans public. The Council has denounced all public officials who have not stood for segregation, and at the present time is seeking the replacement of Camille Gravel, Democratic National Committeeman, because of his stand on civil rights. The Council is taking an active part toward the defeat of the Civil Rights Bill which is now pending in Congress. Through the power of its organization, the Council has been able to bring outstanding segregation leaders to the City of New Orleans for mass meetings to explain to the people the dangers we face.

The Council, when financially able, has published a monthly paper which has been sent to its members, setting forth what was being done to preserve racial segregation. These are just a few of the many things that your Citizens' Council has been doing, and shows that it is ever watchful of our current and future problems in maintaining segregation of the races.

We are enclosing two blank membership forms. In the event that you have neglected to pay your 1957 dues of \$2.00, won't you please fill out one of the forms and mail it in right away, and pass the other blank to a friend who feels about segregation as we do? If you have paid your 1957 dues, then pass both membership blanks to two friends and ask them to mail them to us at the above address. In order to carry out the work we have been doing, we need your support, and we are sure that you will agree that our cause is one worth working for.

The greatest strength of the Council lies in two things: (1) an ever increasing membership, and (2) the active participation of an ever growing number of persons in the work of the Citizens' Council.

There will be a mass meeting of your Citizens' Council Tuesday, September 17, 1957, at the Municipal Auditorium, so please mark this on your calendar and be present with your family and friends.

Yours sincerely,

Harry P. Gamble, III

Harry P. Gamble, III

Chairman,

Education and Information Committee

—HPG/g

105-34237-33-19

MASS MEETING HEAR

Rev. Carey Daniels

(Rev. Daniels is pastor of the First Baptist Church in Dallas, Texas.
His congregation is the largest white Baptist group in the world.)

Don't Fail To Hear What This Outstanding Religious Leader Has
To Say About Segregation

You Will Also Hear the Latest News About
Our Condition in Louisiana

TUESDAY
September 17, 1957
Municipal Auditorium

(Air Conditioned)

8 p. m.

Come Early and Bring Your Neighbor as Entertainment
Will Be Provided

CITIZENS COUNCIL OF NEW ORLEANS
Largest Citizens Council in America

(Printed in a Union Shop)

105-34237-33-19

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

ATTENTION:
CENTRAL RESEARCH
SECTION

DATE: 10-11-57

FROM : SAC, New Orleans

SUBJECT: CITIZENS' COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

OO: New Orleans

ReBulet to Atlanta 6-5-57, entitled "Citizens'
Councils, IS-X."

Attached are two copies each of the following
publications:

- (1) "The Councilor Newsletter," A Monthly Publication
of the Association of Citizens Councils of
Louisiana, Inc. (September 1957)
- (2) "The Citizens' Council," Official Paper of the
Citizens' Councils of America (September 1957)

2 - Bureau (105-34237 Sub 33) (Enclosures 4) (RM)
1 - New Orleans (105-761)
RFC:eo
(3)

RECORDED-45

10 OCT 14 1957

4 ENCLOSURE

INT. SEC. - 7-11-57

64 OCT 24 1957

SAC, New Orleans (105-761)

October 23, 1957

RECORDED - 24
Director, FBI (105-34237-33)-21

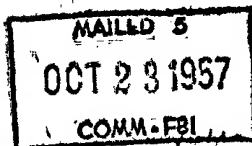
EX 100
CITIZENS COUNCILS
INTERNAL SECURITY - X

Reurlet 10-18-57.

24
Due to the extremely sensitive nature of this matter Bureau authority is denied to prepare a memorandum for all Agents of your office concerning development of informants and sources in citizens councils.

NOTE ON YELLOW:

By letter 10-9-57 certain field offices, including New Orleans, were issued instructions concerning the development of informants and sources in citizens councils in those areas where racial difficulties might arise. Such instructions issued at request of Attorney General. Field was cautioned as to the explosiveness of situation and necessity for discreet handling of the matter. New Orleans in referenced letter pointed out desirability of preparing memorandum for all Agents concerning program for development of informants from standpoints that (1) Not economical to call conference for all Agents to discuss program due to travel involved, (2) program can be launched more rapidly by memorandum, and (3) Agents will need to have access to Bureau's instructions on continuing basis. These are all valid arguments; however, the volatile nature of this situation particularly in the Deep South requires that every precaution be taken and it is thought unwise to have a memorandum prepared on the subject matter.



CFW:rjl
(4)

OCT 29 1957

MAIL Room ☒

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-34237)

DATE: October 18, 1957

FROM : SAC, NEW ORLEANS (105-761)

SUBJECT: CITIZENS COUNCILS
INTERNAL SECURITY - X

ReBulet to Atlanta, 10/9/57.

Pursuant to SAC Letter 57-56, the enclosed "MEMO ALL AGENTS" is submitted to the Bureau for approval to prepare and for authority to distribute under proper charge-out procedures to all Agents assigned to the New Orleans Office.

Because of the travel involved, it is not economical to call a conference of all Agents to discuss the program or to hold sectional meetings in the various Resident Agencies. The enclosed material has been put in memo form since it is believed that the Bureau's instructions regarding the program and the assignments made to the Agents of this office can be disseminated to the Resident Agents economically and quickly in order that the program may be started as soon as possible.

In addition, it is believed that the Agents will of necessity have to retain these memoranda because of the Bureau's instructions regarding the form of memorandum required to recommend interviews with potential sources and informants. It is also noted that portions of the attached memorandum contain direct quotations from the Bureau letter and this was done purposely so that the Agents would be aware of the discreet manner in which the program is to be handled.

The New Orleans Office recognizes the delicate nature of this program and in this connection the Bureau's attention is respectfully called to New Orleans airtel to the Bureau dated December 12, 1956, entitled "Citizens Councils Investigations, Internal Security - X." The Bureau is requested to notify the New Orleans Office of its approval to distribute the enclosed memorandum to all Agents.

2 - Bureau (Encs. 2) (RM)
1 - New Orleans

MRK:ejf EX 105

65 OCT 13 1957

ENCLOSURE

RECORDED - 24

EX 105

3 OCT 21 1957

Let NO 10/23/57
OFAN

36

105-34237-33-21

24
Pawm
INT. SEC.

NO 105-761

The Bureau is requested to accept the program outlined in the attached memorandum as the New Orleans Office response to the Bureau's letter which is due on or before October 25, 1957. The next letter in this program will be submitted on November 25, 1957.

ENCLOSURES (2) TO BUREAU

Two copies proposed memo to All Agents.

RE: CITIZENS COUNCILS
INTERNAL SECURITY - X



105-34237-33-21

ENCLOSURE

MEMO ALL AGENTS

RE: CITIZENS COUNCILS
NEW ORLEANS DIVISION
INTERNAL SECURITY - X

The Bureau advises that the Attorney General feels that in view of the recent situation in Little Rock, where a number of the principal disturbers of the peace were members of Citizens Councils, that the Bureau should, with the utmost discretion, obtain coverage, including informants, in Citizens Councils.

Absolutely no investigation of Citizens Councils is to be undertaken and the Bureau's sole interest is the gathering of intelligence data in advance of possible violence or interference with Federal Court orders or injunctions. This will facilitate the development of witnesses later in the event such violence or interference takes place.

The Bureau instructs that a program be developed which will accomplish the Attorney General's desires and that sources and informants be developed in Citizens Councils in areas where violence might arise because of integration. It is believed that the entire New Orleans Division falls within this category.

The following instructions have been issued by the Bureau in regard to this program:

1. Agents must be most circumspect in this program.
2. No unnecessary risk should be taken which might have an adverse effect on the Bureau or cause the Bureau any embarrassment.
3. No attempts should be made to develop informants on a wholesale basis.

2 - Bureau
1 - New Orleans
MRK:ejf

4. No person should be considered in connection with this matter unless he is completely trustworthy.

5. No individuals should be contacted without prior Bureau authority.

6. All persons contacted must be advised that the Bureau is not interested in the activities of Citizens Councils as such, but is interested only in such information indicating violence on the part of Citizens Councils or its members and in information that is or at some future date might be a violation of Federal law over which we have jurisdiction.

Requests for Bureau authority to contact individuals under this program should be submitted under the individual Citizens Council caption and should include the following information:

1. Full name of individual
2. Residence address
3. Occupation and business address
4. A statement whether individual is an officer and/or member of the council. If not an officer or member a statement as to the individual's being in a position to furnish information
5. A statement as to individual's trustworthiness, including a statement if individual has furnished information to your office in the past, if such information was determined to be accurate, and a brief resume of matters concerning which he has furnished information
6. Any information in the files of your office which might make a contact inadvisable
7. The recommendation of the SAC.

A separate letter should be submitted on each individual request.

To implement this program, the following assignments are being made:

a. Each Resident Agent is being held responsible for the Citizens Councils located in the territory assigned to him. The Senior Resident Agent should be consulted frequently by the Agents assigned to an RA and the Senior Resident Agent should coordinate this program in his territory since he is expected to be aware of the problems existing therein.

In headquarters, SA [redacted] is designated to handle the Citizens Council of Greater New Orleans and the Association of Citizens Councils of Louisiana. SA WRIGHT PATTON is designated to handle the Federation for Constitutional Government.

b6
b7C

The Resident Agents and SAs [redacted] and PATTON should take the following action:

1. Sources should be re-established who can obtain literature published or circulated by Citizens Councils which will keep the office informed of trends toward violence.

2. The closed Citizens Councils files should be reviewed for the names of officers, members and sources of information previously available to us. In this connection, the pertinent serials are being charged out and being routed to the Resident Agents for review.

b6
b7C

SA [redacted] should review New Orleans files 100-15816 and 105-619 in connection with the above. SA WRIGHT PATTON should review New Orleans file 105-582. After these files have been reviewed, a memorandum should be prepared, consisting of two copies, one for file 105-761 and one copy for the appropriate Citizens Council file. The memorandum should contain the names of persons considered eligible for development as sources or informants together with the Agent's evaluation. A separate memorandum must be submitted on each Citizens Council.

3. All Agents, including Resident Agents and Headquarters City Agents handling Criminal Informants, Potential Criminal Informants, Security Informants and Potential Security Informants are instructed to consider the possibility of recruiting the informants and potential informants who could become members of the Citizens Councils. In each instance the Agent to whom the informant or potential informant is assigned should prepare a memorandum with two copies summarizing the informant's abilities and possibilities in this regard. One copy of this memorandum should be designated for this file, 105-761, and one copy for the informant's administrative file. This is necessary so that in the event of favorable consideration, the suggestion may be cleared with the Bureau as to whether the informant could be approached for recruitment under this program.

This must be handled within two weeks from date of this memorandum.

4. SA REGIS L. KENNEDY is instructed to review the several Election Law violation cases recently investigated by this office and prepare a memorandum concerning persons who could be considered for development as sources or informants under this program. Again, two copies of a memorandum should be prepared, one for this file, 105-761, and one for the substantive file.

5. Each Resident Agent should assure that the office receives two copies of all newspaper articles and editorials relating to the activities of Citizens Councils.

Consideration by all Agents should be given to members of minority groups or persons who have openly expressed opposition to the use of violence. In some instances leaders and members of Citizens Councils have expressed an antipathy to violence. These individuals should be definitely considered under this program.

Any information received concerning the activities of Citizens Councils which could result in violence in connection with integration matters must be promptly furnished to the Bureau. Through close scrutiny of the public press, through information volunteered by individuals and through sources and informants developed, we must be in a position to obtain advance

information regarding activities of the Citizens Councils which might result in violence.

It is repeated that no active inquiries should be conducted regarding Citizens Councils.

R. J. Abbaticchio Jr.
SAC

DIRECTOR, FBI (105-344237 sub 33)
(105-34237)

October 18, 1957

SAC, NEW ORLEANS (105-587)(105-761)

CITIZENS COUNCILS AND STATES'
RIGHTS MOVEMENTS
INTERNAL SECURITY - X

OO: New Orleans

ReBulet to Atlanta, June 5, 1957, and New
Orleans letter to the Director dated June 20, 1957.

Captioned case has been carried in a Pending
Inactive status by the New Orleans Division and the
Bureau advised concerning any important developments
regarding Citizens Councils in this area.

New Orleans file 105-761, Bufile 105-34237
sub 33, entitled "Citizens Councils, New Orleans Division,
Internal Security - X" reports the pertinent information
to the Bureau for Citizens Councils activity for the
New Orleans Division, including Louisiana and the State
of Mississippi.

In view of the above, the captioned case is
being closed in the New Orleans Office UACB and all informa-
tion in this category will be reported under the case
entitled "Citizens Councils, New Orleans Division, Internal
Security - X."

105-34237-1
NOT RECORDED
87 OCT 21 1957

2 - Bureau (RM)
2 - New Orleans
RFC:ejf
(4)

70 OCT 24 1957

ORIGINAL FILED IN 105-34237-1

1 - Mr. Williams

SAC, New Orleans (105-761)

October 31, 1957

RECORDED-92 Director, FBI (105-34237-33) 22

**CITIZENS COUNCILS
INTERNAL SECURITY - X**

Reurlet dated October 24, 1957.

The manner in which this matter was handled administratively in your office is to be resolved by you; however, it is expected that Bureau's instructions as contained in Bulet to Atlanta, copies to your office, dated October 9, 1957, captioned as above, will be adhered to in every respect.

NOTE ON YELLOW:

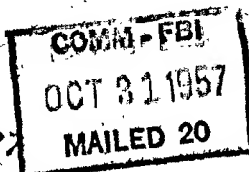
Bulet 10/9/57 instructed various field offices to institute program for development of informants in citizens councils in those areas where there is or may be racial trouble. By letter 10/18/57 New Orleans requested authority to prepare a memorandum from the SAC, New Orleans, to all Agents of that division concerning this matter. Bureau authority was denied by letter 10/23/57 due to the sensitive nature of this program. Now New Orleans has advised that it would cost \$1,000 to call a special conference and bring in resident Agents from the New Orleans territory, and, therefore, the program concerning development of informants would be discussed at the next conference of all Agents which is scheduled for 11/13/57.

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Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

CFW:dlh

(4)

MAIL ROOM ☒



Handwritten signatures and initials:
LHM
JHK
DJK
OHL

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237-33) DATE: 10-24-57

FROM : SAC, New Orleans (105-761)SUBJECT: CITIZENS COUNCILS
INTERNAL SECURITY - XReBulet 10-9-57, New Orleans letter to Bureau 10-18-57,
and Bureau letter to New Orleans 10-23-57.

72
Inasmuch as there are thirty-two Resident Agents in the New Orleans Division, the vast majority of Citizens Councils are located in the rural area, and it is estimated that it would cost \$1,000 for travel and per diem to call a special conference, this program will be discussed at the next conference of all agents which is scheduled to be held November 13, 1957, UACB.

2 - Bureau (RM)
1 - New Orleans
MRK:eo
(3)ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

RECORDED - 7

105-34237-33-22
21 OCT 28 1957
INT. SEC.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237)

DATE: 11-23-57

FROM : SAC New Orleans (105-761)SUBJECT: CITIZENS COUNCILS
INTERNAL SECURITY - XReBulet 10-9-57 and New Orleans letters 10-18-57
and 10-24-57.

The instructions contained in Bureau letter 10-9-57 were orally furnished to all Agents of the New Orleans Office at the Semi-Annual Agents' Conference which was held on 11-14-57. At that time the following program was put into effect:

- (1) Sources of information are being re-established to furnish literature published or circulated by Citizens Councils, and all Agents, particularly Resident Agents, were instructed to scrutinize closely the public press for information relating to the activities of the Citizens Councils.
- (2) Assignments were made for all closed Citizens Councils cases and the recent Election Law cases to be reviewed for the purpose of obtaining the names of the officers, members and sources of information previously available to us. When these individuals are identified in the files, the reviewing agent would consider the person in the best position to obtain information and whether or not he would be susceptible to contact.
- (3) Consideration of all informants and potential informants, both criminal and security, who become members of Citizens Councils, and provide the office with information regarding violence.
- (4) Consideration of members of minority groups who would cooperate with the Bureau and also persons who have openly expressed opposition to the use of violence.
- (5) Consideration of the recruitment of persons willing to cooperate with the Bureau to join Citizens Councils for the expressed purpose of furnishing information regarding violence.

To date, letters have been forwarded to the Bureau recommending interviews with three individuals.

2 - Bureau (RM)
1 - New Orleans

MRK:eo

(3)

RECORDED - 83

7 6 DEC 3 1957

105-34237-33-23

~~105-34237-33-23~~

INDEXED

NOV 25 1957

Williams

SAC, New Orleans (105-492)

December 17, 1957

Director, FBI (105-34237-33) - 24

RECORDED-13
EX 105
ASSOCIATION OF CITIZENS' COUNCILS
OF MISSISSIPPI
INTERNAL SECURITY - X

Reurlet dated December 4, 1957, in which
you requested authority to contact [redacted]
[redacted] Mississippi, in connection
with captioned organization.

b7D

Bufiles contain no information regarding
[redacted] other than that already known to your office.
The Bureau does not desire that informants be developed
among law enforcement officers in these cases. However,
Bureau authority is granted to contact [redacted] for the
purpose of explaining to him the Bureau's interest
in citizens councils. He should be informed the Bureau
has no interest in the legitimate activities of citizens
councils but is interested in violations of laws over
which the Bureau has jurisdiction, particularly civil
rights violations, and in possible violence.

Promptly furnish Bureau results of your
contact with [redacted]

b7D

NOTE ON YELLOW:

No derogatory information concerning [redacted]
located in Bufiles. According to New Orleans he is responsible
citizen and has reputation of being honest and trustworthy.
He has been most cooperative with Agents of the New Orleans
Office and there is no indication that he has furnished
inaccurate information.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

CFW:dlh

(4)

MAIL ROOM ☐

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Tele. Room
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Gandy

DEC 19 1957

Albin
JSK
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OK

Federal Bureau of Investigation
Records Branch

, 1957

<input type="checkbox"/>	Name Check Unit - Room 6523
<input type="checkbox"/>	Service Unit - Room 6524
<input type="checkbox"/>	Forward to File Review
<input checked="" type="checkbox"/>	Attention <u>Berry</u>
<input checked="" type="checkbox"/>	Return to <u>Willithers</u> 1704
	Supervisor Room Ext.

Type of References Requested:

<input type="checkbox"/>	Regular Request (Analytical Search)
<input checked="" type="checkbox"/>	All References (Subversive & Nonsubversive)
<input type="checkbox"/>	Subversive References Only
<input type="checkbox"/>	Nonsubversive References Only
<input type="checkbox"/>	Main _____ References Only

Type of Search Requested:

<input type="checkbox"/>	Restricted to Locality of _____
<input checked="" type="checkbox"/>	Exact Name Only (On the Nose)
<input type="checkbox"/>	Buildup <input type="checkbox"/> Variations
<input type="checkbox"/>	Check for Alphabetical Loyalty Form

 Subject
 Birthd
 Address

b7D

Localities _____

R# _____

Date 12/11Searched
Initials [Signature]

FILE NUMBER

SERIAL

NT	104-2617 ✓
I	105-34237-225; 289 p8
I	923 p19; 303 p1
I?	100-34237-28-2
NT	105-53417-4 23
I	100-34237-313 p4; 271 p1
NT	132 p12
NT	100-7061-32 ✓

File 5-CH

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

DATE: 12/4/57

FROM : SAC, NEW ORLEANS

b SUBJECT: ASSOCIATION OF CITIZENS' COUNCILS
OF MISSISSIPPI
INTERNAL SECURITY - X

Re Bureau letter dated October 9, 1957, captioned Citizens' Council, IS -X, which instructed that sources and informants be developed in Citizens' Councils.

The following is submitted for the Bureau's consideration in granting authority to contact Mr. [REDACTED]

b7D

1. Name, [REDACTED]
2. Residence, Canton, Mississippi
3. Occupation, [REDACTED] Canton, Mississippi
4. [REDACTED]
5. [REDACTED] is a very responsible citizen of Madison County and has the reputation of being honest and trustworthy. He has been most cooperative with agents assigned to the Jackson, Mississippi Resident Agency and there is no indication that [REDACTED] has ever furnished inaccurate information. In the past, [REDACTED] has furnished information in various criminal matters including Civil Rights cases.

b7D

2-Bureau (105-34237)
2-New Orleans (105-492) (105-761)

MRK:ger
(4)

RECORDED-3

105-34237-33-24

12 DEC 9 1957

EX-182

[Handwritten signature]

12/17/57
Jewell

NO 105-492

6. There is no information in the New Orleans files which would make a contact with [redacted] inadvisable.
7. I, therefore, recommend that authority be granted by the Bureau to contact [redacted] [redacted] in connection with the captioned matter.

b7D

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237-33)

DATE: 12-20-57

✓ FROM : SAC New Orleans (105-761)

SUBJECT: CITIZENS COUNCILS
INTERNAL SECURITY - X

Re New Orleans letter November 23, 1957.

Since the submission of referenced letter, and as a result of file reviews of closed Citizens Councils cases, the New Orleans Office has requested Bureau authority to interview six additional individuals. This makes a total of nine individuals with whom the Bureau has requested to authorize interviews.

To date, the Bureau has authorized interviews with five individuals and separate 134 cases have been opened to report the results of initial interview and the necessary background information obtained.

These five individuals are identified as follows:

b6
b7C
b7D

The Bureau is aware of the delicate nature of this program, and in this case it is observed that in the letters received from the Bureau authorizing initial interviews with individuals, the Bureau has requested additional background information, pursuant to Section 107-C of the Manual of Instructions.

In many instances, this background information cannot be obtained outside of public sources. These people, for the most part, are prominent and reside in small rural communities. Any inquiries made concerning them are certain

^ Almost

② Bureau (RM)
1 - New Orleans
MRK:eo
(3)

RECORDED - 26

EX-131

15 DEC 26 1957

CEN. SEC.
INT. SEC.
K

64 DEC 31 1957

NO 105-761

to immediately become public knowledge, and the fact that an investigation is being made will probably be brought to the attention of the PSI. In either case it will definitely hinder the development of the PSI and may cause embarrassment to the Bureau.

Individual cases where sufficient background information cannot be obtained from public sources will be brought to the Bureau's attention.

The next letter on this program will be submitted by the New Orleans Office in June, 1958.

SAC, New Orleans (105-761)

January 3, 1958

Director, FBI (105-34237-33)

CITIZENS COUNCILS
INTERNAL SECURITY - X

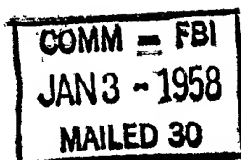
Reurlet dated December 20, 1957.

The next progress letter concerning the development of sources in citizens councils should be submitted to reach the Bureau by January 25, 1958. As you were instructed in Bulet to Atlanta, copies to your office, captioned as above, these letters should be submitted to reach the Bureau every month by the 25th.

NOTE ON YELLOW:

New Orleans advised in relet the next progress letter will be submitted in June, 1958.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAM/SAB/SBS



RECORDED - 9

105-34237-33-26

EX-135

Tolson _____
Nichols _____
Boardman _____
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Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
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CFW:d1h

(4)

76 JAN 9 1958

MAIL ROOM ☒

792112

JNK

OK

1 - Mr. Williams

SAC, New Orleans (105-492)

January 22, 1958

Director, FBI (105-34237-33)

ASSOCIATION OF CITIZENS' COUNCILS
OF MISSISSIPPI
INTERNAL SECURITY - X

ReBulet dated December 17, 1957.

Bufiles fail to reflect receipt of
interview with [redacted] Sulet
immediately.

b7D

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

RECORDED - 23
EX-126

105-34237-23-27

Tolson _____
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CPW:d1h *elb*

(4)

COMM - FBI
JAN 22 1958
MAILED 20

67 JAN 27 1958

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-34237-33)

DATE: January 22, 1958

FROM : SAC, NEW ORLEANS (105-761)SUBJECT: CITIZENS COUNCILS
IS-XRe New Orleans letter, 12/20/57 and Bulet,
1/3/58.

Since the submission of referenced letter dated December 20, 1957, the New Orleans Office has requested Bureau authority to interview three additional individuals as potential sources or informants. This brings the total to twelve of the number of persons with whom the Bureau was requested to authorize interviews.

To date the Bureau has authorized interviews with seven of these persons. The Bureau refused to authorize an interview with one because of his connections with a prominent figure in Citizens Councils in Mississippi and in four instances the Bureau has authorized interviews; however, permission was not granted to develop these four individuals into sources or informants because of their connection with law enforcement. V

To date successful interviews have been conducted with three individuals and the results have been furnished to the Bureau and in two instances additional background information is being obtained.

The matter of developing sources and informants who can provide information concerning possible violence or interference with Federal Court Orders by Citizens Councils will continue to receive close attention by the New Orleans Office.

RECORDED - 40

105-34237-33-28
6 JAN 24 19582 - Bureau (RM)
1 - New Orleans
MRK:ejf
(3)

EX - 140

60 JAN 28 1958

1 - Mr. Williams

SAC, New Orleans (105-492)

February 7, 1958

Director, FBI (105-34237-33)

**ASSOCIATION OF CITIZENS' COUNCILS
OF MISSISSIPPI
INTERNAL SECURITY - X**

Reurlet dated January 30, 1958.

Due to position held by [redacted]
in captioned organization he may be considered as part of
your coverage. However, inasmuch as he is a [redacted]
[redacted] no attempt should be made to
develop him as an informant or to direct his activities.

b7D

NOTE ON YELLOW:

By letter 12/1/57 New Orleans requested authority
to interview [redacted] Mississippi,
concerning captioned organization. Authority granted by
letter 12/17/57. In relet New Orleans advised [redacted]
contacted and was cooperative. He is director of the
[redacted]

b7D

COMM - FBI Mississippi and is in a position to furnish extremely
valuable information. He said he would not hesitate
to report any indicated violence or violations of laws
within the Bureau's jurisdiction.

FEB 7 - 1958

MAILED 30

REC- 85

105-34237-33-29

18 FEB 11 1958

Tolson _____
Nichols _____
Boardman _____
Belmont _____
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Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

(4)

MAIL ROOM ☒

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-34237-33)

DATE: February 25, 1958

FROM : SAC, NEW ORLEANS (105-761)

SUBJECT: CITIZENS COUNCILS
IS-X

Re New Orleans letter, 1/22/58.

The following is a tabulation reflecting the status of the Citizens Council program in the New Orleans Office.

Bureau Authorization Requested to Interview	Past Month <u>8</u>	To Date <u>20</u>
Bureau Authority Denied	2	3
Pending Interviews	6	6
Sources of Information Developed	4	7
Successful Interviews Conducted but not included in coverage in connection with law enforcement	3	3
Refused to Discuss Citizens' Council Matters	1	1

The matter of developing sources and informants who can provide information relating to possible violence and interference with Federal Court Orders by Citizens Councils will continue to receive close attention by the New Orleans Office.

2 - Bureau (RM)
1 - New Orleans
MRK:ejf
(3)

REC-69

EX-134

105-34237-33-30
18 FEB 27 1958

376 MAR 4 1958

INT. SEC. [Signature]

Routing Slip
FD-4 (Rev. 6-14-56)

Date 3-18-58

☒ Director

Att CENTRAL RESEARCH SECTION

FILE # 105-34237-33

☐ SAC Title CITIZENS COUNCILS -

☐ ASAC 15-X

☐ Supv.

☐ Agent

☐ SE

☐ CC

☐ Steno

☐ Clerk

ACTION DESIRED

- ☐ Acknowledge
- ☐ Assign Reassign
- ☐ Bring file
- ☐ Call me
- ☐ Correct
- ☐ Deadline
- ☐ Deadline passed
- ☐ Delinquent
- ☐ Expedite
- ☐ File
- ☐ Initial & return
- ☐ Leads need attention
- ☐ Open Case
- ☐ Return with explanation or notation as to action

- ☐ Prepare lead cards
- ☐ Prepare tickler
- ☐ Recharge serials
- ☐ Return assignment card
- ☐ Return file
- ☐ Return serials
- ☐ Search and return
- ☐ See me
- ☐ Send Serials
- ☐ Submit new charge-out
- ☐ Submit report by
- ☐ Type

to 105-34237-33-30X

REC-70

EX-128

NOT RECORDED
11 MAR 26 1958

CENTRAL RESEARCH
INT. SEC.
CFW

52 AUG 16 1960

SAC R. V. ABBATICCHIO JR

☐ See reverse side

Office NEW ORLEANS

New Orleans

Ed. H. Brown
4704
h/s

Ph
1 copy to
W. J. ...
3-26-58, ...

ENCLOSURE

EX-128

65 MAR 28 1958

105-34237-33

FEDERATION FOR CONSTITUTIONAL GOVERNMENT

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Brookhaven, Miss.

J. EVETTS HALEY
Canyon, Texas

Headquarters:

801 American Bank Bldg., New Orleans, La.

SENATE BILL 2646

By Senator Jenner of Indiana will be before the Senate very shortly.

S. 2646 — To Limit The Appellate Jurisdiction of the Supreme Court In Certain Cases

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 81 of title 28 of the United States Code is amended by adding at the end thereof the following new section:

"1258. Limitation on appellate jurisdiction of the Supreme Court

"Notwithstanding the provisions of sections 1253, 1254, and 1257 of this chapter, the Supreme Court shall have no jurisdiction to review, either by appeal, writ of certiorari, or otherwise, any case where there is drawn into question the validity of—

"(1) any function or practice of, or the jurisdiction of, any committee or subcommittee of the United States Congress, or any action or proceeding against a witness charged with contempt of Congress;

"(2) any action, function, or practice of, or the jurisdiction of, any officer or agency of the executive branch of the Federal Government in the administration of any program established pursuant

to an Act of Congress or otherwise for the elimination from service as employees in the executive branch of individuals whose retention may impair the security of the United States Government;

"(3) any statute or executive regulation of any State the general purpose of which is to control subversive activities within such State;

"(4) any rule, bylaw, or regulation adopted by a school board, board of education, board of trustees, or similar body, concerning subversive activities in its teaching body; and

"(5) any law, rule, or regulation of any State, or of any board of bar examiners, or similar body, or of any action or proceeding taken pursuant to any such law, rule, or regulation pertaining to the admission of persons to the practice of law within such State."

(b) The analysis of such chapter is amended by adding at the end thereof the following new item:

"1258. Limitation on the appellate jurisdiction of the Supreme Court."

As Chairman of the Executive Committee of "Federation for Constitutional Government", I submitted the following statement to be incorporated in the hearing of the Senate Internal Security Subcommittee, which began on February 19th:

"It is inconceivable to us of the Federation for Constitutional Government that there could be any opposition to any of the provisions or intent of S. 2646.

"That the United States Supreme Court should have made this legislation so necessary remains an unsolved puzzle, not only to the lay supporters

of the 'FEDERATION FOR CONSTITUTIONAL GOVERNMENT', but even a greater puzzle to our friends of the legal profession, both in and outside the 'Federation' circle.

"That the Congress of the United States should have had to act to help the several states to pro-

ENCLOSURE 105-34237-33-308

tect their sovereignty against subversion will be difficult for future historians to explain.

"That either the Congress or the Supreme Court should be involved in any matters relating to the administration of the Public Schools of the several States, is perhaps the greatest insult ever visited upon the wisdom and honor of the Founders of this Nation.

"That this Bill is necessary is self evident, and we fail to see how a single vote could be marshalled against it in either House of the Congress. Our hope is that, it is only the first step in the right direction, and that its swift adoption does not intimate or imply that the Federal Courts have, or had, any rights in the administration of the safe and orderly conduct, or the safeguarding of such orderly and safe conduct by the Sovereign States.

"Nor can we forget that in this year, after more than a century and a half, the United States Supreme Court had to be curbed in its zeal to nullify the powers of the 'Bar Association' of the Sovereign States, in their effort to weed out the few subversive shysters who would impede the honor and dignity of the legal processes of such states, and cast a shadow on the wisdom of the entire legal profession of each community in which these few subversive shysters have been able to penetrate, or were preparing to so do.

"In the past few years on certain Mondays, all patriotic and devout Americans have had to start the day with the fervent prayer, 'God save us this day from our own folly and give us the courage and strength to protect our Nation from the folly of our Judicial servants'."

YOUR SENATORS AND CONGRESSMAN WILL WANT AN EXPRESSION OF YOUR VIEWS ON THIS LEGISLATION

Read this quotation from Robert Morris, Chief Counsel for the Senate's Internal Security Subcommittee:

"The fact of the matter is that all of these Court decisions, and these Administrative decisions, have created among devoted intelligence officers, prosecutors, internal security officials and Congressional staffs—a demoralizing sense of frustration and despair. There is more hopelessness today than I have ever experienced before in all my days in Washington.

Never before has the morale of internal security reached the low that prevails today . . ."

(RIGHT—No. 28, January, 1958)

FEDERATION FOR CONSTITUTIONAL GOVERNMENT

EXECUTIVE COMMITTEE

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Charleston, S. C.

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Homer, La.

T. WALKER LEWIS
Memphis, Tenn.

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Gainesville, Fla.

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Brookhaven, Miss.

J. EVETTS HALEY
Canyon, Texas

Headquarters:

801 American Bank Bldg., New Orleans, La.

SUPREME COURT DECISIONS - - THREAT TO NATION

Excerpt from Speech by SENATOR JAMES O. EASTLAND

*Prepared for Delivery Before National Society of New England Women Founder's
Day Celebration, Waldorf Astoria Hotel, New York, January 23, 1958.*

The greatest single threat to our Constitution is the presently constituted Supreme Court of the United States. In fact, the Court, by its decisions, has aided the cause of Communism.

The Court has gone far afield from its recognized and lawful constitutional function. In decision after decision it has invaded and usurped powers either reserved to the States or delegated to other Branches of the Federal Government. It has become a policy-making body; set itself up as a super-legislature; and has ruthlessly attempted to breach the wall of State sovereignty, which is the most fundamental and basic principle of our constitutional system.

George Washington gave this solemn warning in his Farewell Address:

"If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular wrong, let it be corrected by an amendment, in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed."

This is the injunction that the present Court has violated.

Thomas Jefferson, throughout his life, viewed the Federal Judiciary as the danger spot in our political structure. He said:

"It has long, however, been my opinion and I have never shrunk from its expression, that the germ of dissolution of our Federal Government is in the Constitution of the Federal Judiciary. An irresponsible body (for impeachment is scarcely a scarecrow) working like gravity by night and by day, gaining a little today and a

little tomorrow, and advancing its noiseless step like a thief, over the field of jurisdiction until all shall be usurped from the States and the government of all be consolidated into one."

Jefferson's apprehension of yesterday is today's reality. Let us examine the facts.

Review Of The Supreme Court's Decisions (Which Came After Desegregation Decision Of May 17, 1954, Ed)

(1) The decision in the case of Nelson vs. Pennsylvania did as much damage to the sovereign powers of the States as did any one decision that has ever been rendered by the Supreme Court. It nullified the laws of 42 States governing crimes in the fields of sedition and treason.

The Court told the Sovereign states that even though they, themselves, might be in danger of being overthrown by the Communist conspiracy, they might not act, because, said the Court, Congress had pre-empted the field.

Attorneys General from several States came to Washington to testify as to how this decision had completely frustrated their previously effective efforts against the Communist conspiracy within their States.

The Attorney General from the State of Massachusetts testified that as a result of this decision, 15 Communists against whom action had been taken had to be let loose to go ahead with their subversive activities.

The situation outlined by the testimony of these several Attorneys General was so alarming that the

105-34237-33-30X
ENCLOSURE 105-34237-33-388

senior Senator from New Hampshire, Mr. Bridges, was moved to observe that if the Communist actions became more serious in his State, the people would have to take the law into their own hands.

(2) In the Slochower case the Supreme Court denied to the City of New York the right to fire a college professor who had pleaded the Fifth Amendment in response to questions by my Internal Security Subcommittee in regard to his possible Communist connections, affiliations and associations.

Not only did the Court require the City College of New York to reinstate this professor, but the City also had to pay to him over \$40,000 in back salary and indemnities for work that he did not perform.

(3) In fact, in a case from New England, a college professor was suspected of teaching Communist dogma to his students and general red affiliations. The Legislature gave to the State Attorney General the power and authority to issue subpoenas and take the necessary testimony under oath. This professor refused to answer the questions.

The Supreme Court in this case did not stop with the Fifth Amendment to the Constitution. It held that the questions infringed the witness's right of freedom of speech under the First Amendment. In effect, the opinion says that the State has no authority to prevent the teaching of Communism in its own State-supported schools.

(4) A man named Girard died over 100 years ago in Philadelphia. He was wealthy and left his estate in trust for the purpose of setting up and maintaining a school for poor, white, orphan boys between the ages of six and ten. The private school was founded and has been operating in accordance to the will since 1831. A suit was brought on behalf of two Negro boys seeking admission to this private school.

The United States Supreme Court held that they had to be admitted. This was in reversal of the Pennsylvania State Supreme Court which held that it was a legal and valid will and that the testator could dispose of his property as he pleased.

How could trustees be guilty of discrimination when they were only following the lawful purposes of the will?

(5) In two decisions—one directed against the State of California; the other against the State of New Mexico—the Supreme Court denied to the Bar Associations and Courts of those respective States the power to pass upon the qualifications of applicants for admission to the legal profession.

The applicant in California was questioned by the Committee of Bar Examiners to determine whether or not he was a person of good moral character as required by the law. He refused to say whether he was a Communist. He refused to answer any questions in regard to his association or contacts with individuals or organizations that had been identified

beyond question as being connected with the Communist conspiracy.

The Committee refused to certify the applicant as a person of good moral character. The State Supreme Court of California upheld the Committee.

This decision was reversed by the Supreme Court and also the one in New Mexico and the applicants were ordered to be admitted to the legal profession.

(6) In 1950 Congress enacted the Internal Security Act to codify existing legislation bearing on subversion. One of the most elementary aspects of that Act was that if organizations are shown by the evidence to be subversive, they must register and come under the sanctions of the law. Shortly after the enactment of the Internal Security Act, the Communist Party refused to register. In hearings before the Subversive Activities Control Board, which took years, the Justice Department put into the record tons of evidence to legally prove this patent conclusion.

Then the Supreme Court ruled that because the Communists charged that testimony of three out of hundreds of sources of evidence was tainted, the case must go back for re-assessment. Because of a subsequent ruling of the Court in the JENCKS case, only the other day the Circuit Court of Appeals again sent this case back to the Subversive Activities Control Board with an injunction to permit certain of the Communists to have access to certain information in the secret files of the government.

(7) In the Yates case, 14 California Communists were convicted of violating the Smith anti-sedition Act by conspiring:

"(1) to advocate and teach the duty and necessity of overthrowing the Government of the United States by force and violence, and

"(2) to organize, as the Communist Party of the United States, a society of persons who so advocate and teach, all with the intent of causing the overthrow of the Government by force and violence as speedily as circumstances would permit."

The Supreme Court majority, through Justice Harlan, substituted itself for jury and ordered five of the defendants acquitted on the facts, and decreed new trials for the nine others. Justices Black and Douglas said they should all go free.

Justice Clark, in his dissent, made this comment:

"I agree with the Court of Appeals the District Court and the jury that the evidence showed guilt beyond a reasonable doubt. . . . In any event, this Court should not acquit anyone here. In its long history, I find no case in which an acquittal has been ordered by this Court solely on the facts. It is somewhat late to start in now usurping the functions of the jury."

(8) In the Watkins case, the Court struck a devastating blow at the power of Congress to inform itself. Watkins had been found guilty of contempt of Congress when, as a witness before the House Committee on Un-American Activities investigating Communist infiltration of labor unions, he refused to answer questions regarding the identity of individuals with whom he had been associated. He did not plead the Fifth Amendment as a basis for this refusal. He simply challenged the Committee's jurisdiction, saying: "I refuse to answer certain questions that I believe are outside the proper scope of your activity."

A majority of the Supreme Court agreed with Watkins and, in an opinion by Chief Justice Warren, reversed the conviction. The effect of this was immediate. At the very next hearing of my Subcommittee on Internal Security, witnesses used the Watkins decision as a blueprint of how to avoid answering legitimate questions.

They made it clear that hereafter, unless Congress reasserts its independence, any witness, any time, can switch any investigation onto a siding by telling his interrogator, as Watkins did, that the question is not "relevant", or by the simple device of playing dumb and claiming not to understand why a question is pertinent.

This severely cripples, if it does not wholly smash, the effectiveness of the congressional power to investigate.

(9) The Jencks case, which I previously mentioned, is the one in which the Supreme Court ordered that the secret files of the FBI and other law-enforcing agencies be opened to criminal defendants for their inspection under certain circumstances.

This decision went a long way toward completely emasculating the effectiveness of certain law-enforcing agencies such as the Federal Bureau of Investigation and the Bureau of Narcotics, who must, of necessity, rely on reports of undercover agents.

Congress has already passed legislation in an attempt to alleviate the effect of this decision. How successful this legislation will be remains problematical.

(10) Three weeks ago, a woman was brutally beaten in an apartment in Washington by a Negro who forced an entry. His name is known and as I speak to you the police are still looking for him. Every member of the present Supreme Court should be sworn in as a "posse commitatus" and forced to hunt for this criminal until he is located.

He is a self-confessed rapist under a death sentence who was reprieved by the United States Supreme Court on the grounds that he was held by the police, after free confession to his crime, from 9:00 p.m. at night until the next morning without

being given a hearing before a United States Commissioner.

Since this last assault, newspapers in Washington are editorially demanding that Congress, and more particularly my Judiciary Committee, do something to prevent a recurrence of this type of decision. I have introduced a bill which I hope will have the desired effect.

(11) Only last Monday a Circuit Court of Appeals ordered the release of the 11 Communists previously convicted in Hawaii and the State of Washington under the Smith Act. Judge Richard H. Chambers, who wrote the decision, said: "The Supreme Court's decision last June (the Yates case) leaves the Smith Act, as to any further prosecution under it, a virtual shambles."

The time has come when the Supreme Court must be curbed and bridled. It is today the greatest single menace to the domestic security and tranquillity of this country.

There are now pending for consideration before my Judiciary Committee more than 100 bills designed in one fashion or another to cure or alleviate the effect of one decision or another that has been rendered by the Supreme Court. Some of these bills will be enacted at this present session of Congress. Many of the erroneous and usurpative decisions are based on constitutional grounds that cannot be reached by Congressional act. Here the long, hard road of constitutional amendment is the only recourse.

But there is another force and power to which the Court is also amenable—that is the power of the people and the force of public opinion.

It was Abraham Lincoln who rightly said:

"The people—the people—are the rightful masters of both Congresses and Courts—not to overthrow the Constitution, but to overthrow the men who pervert it."

The People Are The Supreme Court

All power resides in the people. An awakened public will curb the Court and protect and preserve the Constitution and our system of Government. Let us join hands and march.

The time has come when an alert, organized and informed people must assert in no uncertain terms their disapproval of and opposition to the course this Court has taken. No Court can fail to respond to unified will of the people. We must prevent tyranny in the form of judicial oligarchy.

When the people are properly informed, I have no doubt about the outcome. Both Congresses and Courts will respond to the will of the ultimate sovereign.

Then, our fast disappearing Republican form of Constitutional Government will be preserved and maintained.

DESTRUCTIVE INCOME TAX AND SUPREME COURT DECISIONS "2 IMPORTANT MEMORIALS"

"Two important memorials have been introduced in the current session of the Arizona State Legislature. One, in the Senate, asks Congress to take action that would put a limit on federal taxing power. The other, in the House, calls on Congress to keep the U. S. Supreme Court from using its judicial powers to make new laws.

"The federal government's right to tax without limit hangs like an ax over every state and every individual in the United States. This country can become a centralized bureaucracy of the most dictatorial pattern, instead of an association of 48 sovereign states, unless a curb is placed on the taxing power of the central government. Every citizen of the United States can become an automaton, danc-

ing at the end of a string pulled in Washington, if the federal government is allowed to boost individual income taxes without limit.

"The other memorial would protect the Constitution against continued sniping by the Supreme Court. In case after case, the present court has reversed or modified long standing decisions.

"It has assumed some of the law-making tasks of Congress.

"It has based decisions on psychology rather than on law.

"Only last week, the U. S. Circuit Court of Appeals in San Francisco declared the Supreme Court had made 'a virtual shambles' of the nation's anti-subversive law."

"CONGRESS CAN CURB THE SUPREME COURT, BUT IT WILL NEED THE ASSURANCE OF GRASS ROOT SUPPORT IN TACKLING THE PROBLEM."

Excerpts from editorial, THE ARIZONA REPUBLIC, Phoenix, Arizona, Saturday, February 1, 1958.

FEDERATION FOR CONSTITUTIONAL GOVERNMENT
P. O. Box 86
NEW ORLEANS 6, LA.

RETURN POSTAGE GUARANTEED



Mr. Peter Johnson
P. O. box 1549
New Orleans, La.

SUPREME COURT DECISIONS - - THREAT TO NATION

ONLY CONGRESS CAN SAVE THE NATION

Our opponents will be most active in pressurizing Congress, as soon as they reconvene in January, 1958, to:

Revise and make more drastic the Civil Rights legislation passed in 1957.

Further emasculate and weaken, or destroy the Immigration and Nationality Act (McCarran-Walter Act).

Make every effort to increase the budget and further expand expenditures.

The above is only illustrative, because there are a number of other activities that they will pressure for.

YOU MUST CONTINUOUSLY LET YOUR CONGRESSMEN AND SENATORS KNOW YOUR VIEWS.

ORGANIZATIONS OR INDIVIDUALS DESIRING QUANTITIES FOR DISTRIBUTION, WILL BE SUPPLIED SAME UPON REQUEST.

Contributions are needed to assist in large distribution of literature, if able to contribute, your contribution will be helpful and appreciated.

Our cost for preparation, printing, handling and mailing, or express is approximately \$4.00 per hundred.

AFTER READING—PASS TO SOME ONE ELSE.

Write us for additional copies for your distribution.

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-34237-33)

DATE: March 24, 1958

FROM : SAC, NEW ORLEANS (105-761)SUBJECT: CITIZENS COUNCILS
IS - X

Re New Orleans letter 2/20/58.

The following is a tabulation reflecting the status of the Citizens Council program in the New Orleans Office:

	<u>Past Month</u>	<u>To Date</u>
Bureau Authorization Requested to Interview	1	21
Bureau Authority Denied	1	4
Pending Interviews	3	
Sources of Information Developed	3	10
Successful Interviews Conducted but not included in coverage a/c connection with law enforcement	0	3
Refused to Discuss Citizens Council Matters	0	1

The matter of developing sources and informants who can provide information relating to possible violence and interference with Federal Court Orders by Citizens Councils will continue to receive close attention by the New Orleans Office.

2 - Bureau (RM)
1 - New Orleans
MRK:ejf
(3)

REC-31

105-34237-33-31

3 MAR 26 1958

EX-128

61 MAR 28 1958

INT.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237-33)

DATE: 4-22-58

✓ FROM : SAC, New Orleans (105-761)

SUBJECT: CITIZENS COUNCILS
IS - X

Re New Orleans letter 3-24-58.

The following is a tabulation reflecting the status
of the Citizens Council Program in the New Orleans Office.

	<u>Past Month</u>	<u>To Date</u>
Bureau Authorization Requested to Interview	1	22
Bureau Authority Denied	0	4
Pending Interviews	1	
Sources of Information Developed	2	12
Successful Interviews Conducted but not included in coverage a/c connection with law enforcement	1	4
Refused to Discuss Citizens Council Matters	0	1

The matter of developing sources and informants
who can provide information relating to possible violence
and interference with Federal Court Orders by Citizens
Councils will continue to receive close attention by the
New Orleans Office.

② - Bureau (RM) (105-34237-33)
1 - New Orleans (105-761) REC-99
MRK:eo
(3) FBI

EX-100
RECEIVED

18 APR 24 1958

INT. SEC.
W. N. D. H.

64 APR 28 1958 312

SAC, New Orleans (105-761)

May 15, 1958

REC-25
EX-123
Director, FBI (105-34237-33)-33

**CITIZENS COUNCILS
INTERNAL SECURITY - X**

Reurlet dated May 2, 1958, in which you furnished the results of your determinations regarding the use of informants and potential informants in Klan matters in connection with furnishing information regarding citizens councils.

In reurlet you recommended that [redacted] and [redacted] be contacted concerning citizens councils. Both have been contacted previously in connection with Klan matters. Bureau authority is denied to contact these individuals at this time. At the time background information is submitted in connection with their development as potential security informants resubmit your requests with regard to their utilization in citizens council matters.

b6
b7C

In the event [redacted] is not in a position to furnish information concerning Klan organizations you should obtain background information and consider recommending authority to contact him regarding citizens councils.

NOTE ON YELLOW:

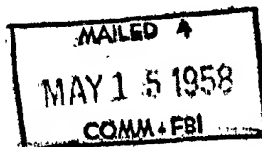
The field was instructed to consider use of Klan informants and Bureau approved potential informants. Neither [redacted] are informants or Bureau approved potential informants. There is little background in file on either. Authority being withheld until additional information is received.

b6
b7C

Tolson _____
Nichols _____
Boardman _____
Belmont _____
Mohr _____
Parsons _____
Rosen _____
Tamm _____
Trotter _____
Nease _____
Tele. Room _____
Holloman _____
Gandy _____

CFW:dlh

MAY 20 1958
MAIL ROOM



MAY 14 11 23 AM '58

FBI - NEW ORLEANS
MAY 15 1958

1434
Okl

Federal Bureau of Investigation
Records Branch5/12/58, 1957

☐ Name Check Unit - Room 6523
☐ Service Unit - Room 6524
☐ Forward to File Review
☒ Attention Henry
☒ Return to Williams 1517
Supervisor Room Ext.

Type of References Requested:

☒ Regular Request (Analytical Search)
☒ All References (Subversive & Nonsubversive)
☐ Subversive References Only
☐ Nonsubversive References Only
☐ Main _____ References Only

Type of Search Requested:

☒ Restricted to Locality of La: Ga
☒ Exact Name Only (On the Nose)
☐ Buildup ☐ Variations

Subject
 Birthdate
 Address

b6
 b7C

Localities

R# _____ Date 5/12 Searcher Initials WJG
FILE NUMBER SERIAL

I	100-7801-3783
I	105-56744-31
NI	60-4724-8
I	100-7801-2815 P9
I	100-7801-A State Times
I	5/31/56
I	100-7801-2359
NI	52-18475-2 M.F

file out

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-34237-33)

DATE: May 2, 1958

FROM : SAC, NEW ORLEANS (105-761)

SUBJECT: CITIZENS COUNCILS
IS-X

ReBulet 4/15/58.

The following is submitted for the Bureau's consideration and authorization to contact regarding Citizens Councils:

[redacted]
PSI

[redacted] was a [redacted] when it was organized in Baton Rouge, La., in 1956. He stated that the K-National Christian Klan Kingdom was organized as a religious group and that [redacted] although he has been inactive for several months. [redacted] stated he personally did not believe in violence and that the aims of the K-National Christian Klan Kingdom were to maintain the traditions and customs of the South by legal means.

[redacted] volunteered to furnish information concerning the activities of the K-National Christian Klan Kingdom.

Additional background information is being obtained regarding [redacted] and Bureau authority will be requested to develop him as a PSI.

[redacted] would be in a position to furnish information on the Citizens Council of Livingston Parish and Bureau authority is requested to contact him in this matter.

2 - Bureau (RM)
4 - New Orleans

REC-95

105-34237-33-33

(1)
MRK:ejr
(6)

MAY 5 1958

EX-102

b7D

INT@out

b6
b7C
b7Db6
b7C
b7D

wait until
background
developed +
resubmit
recommendation
5-5-58
efw:alw

[redacted] advised that he was a [redacted], when it was organized in Baton Rouge, Louisiana, in 1956. He later became inactive. He stated that he had been approached by fellow employees of the Ethyl Corporation and requested to join the K-National Christian Klan Kingdom. He stated that he would be willing to join this organization on his own initiative and furnish information to the FBI concerning its activities.

b6
b7C
b7D

[redacted] was born [redacted] at Columbus, Georgia, and began working for the [redacted] on July 29, 1947, and has been consistently employed as an [redacted]. He is married. His wife's name is [redacted]. No identification record was located concerning him and he maintains a satisfactory credit standing.

me [redacted] has been invited to attend the next meeting of the K-National Christian Klan Kingdom and advised that he intends to do so.

If [redacted] is able to obtain membership in the K-National Christian Klan Kingdom, additional background information will be furnished to the Bureau and authority requested to develop him as a PSI. [redacted] is in a position to furnish information on the Citizens Council of East Baton Rouge Parish and Bureau authority is requested to contact him in this regard.

b6
b7C
b7D

PSI [redacted] has advised that he does not have sufficient time to devote to any organizations and accordingly it is not felt that he should be contacted regarding Citizens Councils.

As the Bureau knows, the New Orleans Office is making a concerted effort to develop informants and potential informants within the various klan groups in this area. The fact that one informant will be in a position to furnish information regarding both the klan groups and Citizens Councils will be kept in mind and in each instance Bureau authority will be requested before contacting any individual regarding Citizens Councils.

Routing Slip
FD-4 (Rev. 6-14-56)

Date 4-25-58

To

☒ Director

Att. CENTRAL RESEARCH SECTION

BU FILE # 105-34237-33

☐ SAC

Title

☐ ASAC

CITIZENS COUNCILS

☐ Supv.

IS-X

☐ Agent

☐ SE

☐ CC

New Orleans

☐ Steno

☐ Clerk

ACTION DESIRED

☐ Acknowledge

☐ Prepare lead cards

☐ Assign Reassign

☐ Prepare tickler

☐ Bring file

☐ Recharge serials

☐ Call me

☐ Return assignment card

☐ Correct

☐ Return file

☐ Deadline

☐ Return serials

☐ Deadline passed

☐ Search and return

☐ Delinquent

☐ See me

☐ Expedite

☐ Send Serials

☐ File

to

☐ Initial & return

☐ Submit new charge-out

☐ Leads need attention

☐ Submit report by

☐ Open Case

☐ Type

☐ Return with explanation or notation as to action taken

ENCLOSURE
51

SAC R. V. ABBATICCHIO

Office NEW ORLEANS

105-34237-33-

58 MAY 20 1958

REC-51 105-34237-33-34

7 MAY 14 1958

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CAN THE WHITE RACE WIN THROUGH?

Article

By DREW L. SMITH

Chairman of Federation For Constitutional Government
Member of the Louisiana Bar, New Orleans

The Equalitarians, Civil Righters and Integrationists in general, tell us that America must solve her race problem by thoroughly integrating the negro population in our white man's civilization. We are further told by most of them that this will not change the basic racial characteristics of this country. It is their contention that integration does not necessarily mean that a racial amalgamation of the white and negro races will follow. Further than this it has been declared, even though such a racial fusion did occur, our American civilization could be thus perpetuated unimpaired for thousands of years.

Let us examine the utter falsity of these statements by selecting from the record of history one of the most striking examples of how a mighty white civilization perished, when over the centuries the white element of the population was supplanted by the non-white segments through racial integration and racial amalgamation.

India

The vast subcontinent of India lying at the base of Central Asia has through the ages witnessed the rise and fall of successive white civilizations. These civilizations were created by conquering Caucasian invaders emerging intermittently from the west and northwest approaches to India. Thundering down from the mountain ranges into the Indian plains they subjugated with ease the multitudes of indigenes. Ethnologists inform us that these indigenes were a dark complexioned, broad nosed people called Dravidians.

The new conquerors would each in turn build their cities, rule over the conquered peoples for a time and then become absorbed by the darker masses about them.

It was into this brown world of decayed civilizations that the great Aryan invasion flowed for hundreds of years beginning about the year 1800

B. C. The Aryans likewise came in waves from the northwest issuing from the high mountain passes bordering India. According to Madison Grant, in his book, "The Conquest of a Continent," these Aryans were probably the Sacae or Scythians a part of the Nordic branch of the Caucasian race. These people had been gradually spreading eastward from their European homelands and were now finally to establish in India one of the mightiest civilizations ever to be developed by the white race.

The Aryan Civilization

Having conquered India, the Aryans erected their cities as the prior white invaders had done, but apparently unlike their predecessors, from the very beginning they viewed with far greater concern the hybridized population about them. They wisely concluded no white civilization could survive unless some very effective means of keeping the races apart were devised. Thus, while they were developing their system of government and a high degree of proficiency in the arts and sciences, which some ethnologists believe was on a par with that of Egypt, they simultaneously set up a powerful social structure based on a rigid separation of the races.

The awareness of the importance of race exhibited by these ancient white people in the construction and development of their civilization, should be regarded by the white race today as one of the most vitally important lessons to be learned from the past.

It forcefully demonstrates that the issue of race in the world is not just a phenomenon of comparatively recent times, but that early civilized man was acutely conscious of race in the organization of his society and in the evolution of his culture.

It further significantly reveals they fully understood their self preservation depended on their racial integrity.

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21 APR 27 1972

ENCLOSURE

105-34237-33-34

We shall now see in some detail how they accomplished the perpetuation of their civilization for over a thousand years.

The Caste System

The Hindu caste system is commonly supposed to be entirely religious in origin and in concept. This however is not true.

It was in fact, established and conceived by the Aryans not as a religious principle, but as a racial principle, the exclusive purpose of which was to safeguard their racial purity. Unlike the present day Hindu, the Hindu Aryan was white and as such principally concerned with the preservation of his white blood.

Though caste was a part of the Hindu religious faith as it is today, the early Hindu used religion mainly to strengthen the separation of the races by creating insurmountable religious barriers against the intermingling of the various castes.

That the caste system was based on race and color there can be absolutely no doubt. The word caste means color. Webster's New International Dictionary defines it as follows: "Caste"—"The native name for caste (varna) signifies color."

Sir Arthur Risley, one of the great authorities on the history of India, states, "that caste is a matter of race." According to Paul Masson, the author of an authoritative work, "Ancient India and Indian Civilization" there are, "two terms used for caste, varna, properly 'colour' and jati, properly 'birth', race." Again, H. G. Rawlinson, in, "A Concise History of the Indian People," declares, "that caste is a Portuguese word, meaning purity of race."

Even Indian authorities, such as, D. N. Majumdar, writing in, "Races and Cultures of India," avers, that, "the clash and fusion of cultures between the invading people, on the one hand, and the indigenes on the other who belonged to separate racial stock inferior to the immigrants, brought about the superstructure which is the caste system."

It may clearly be seen from these and many other sources that color or caste was the primary concern of the Aryan conquerors of India.

Their system of racial segregation was not based on any doctrine of "separate but equal," but one founded on an inexorable principle and creed of "white supremacy". It was frankly a society composed of superior whites and inferior coloreds, with no other thought than the continuation of their white civilization.

At the pinnacle of the caste system stood the Brahmans, the priestly class, secondly, the Kshatriyas, the military class, thirdly, the Vaisyas, the mercantile and agricultural class and finally the Sudras or servile class. The first three of these castes carried the distinction of being "twice born" as representatives of the Aryan conquerors and the last named caste being composed of the defeated

colored races was accorded the right to be only "once born."

The development of this religious concept was unquestionably grounded upon racial values and emphasizes very vividly how the Aryans used the power of religious beliefs to preserve the purity of their blood. Of course, intermarriage between the castes was strictly forbidden and caste was hereditary and inalienable.

It would seem this tremendously powerful racial system backed as it was by the full force of public opinion, custom, law and religion would stand incorruptible forever and their white civilization would thus be rendered indestructible.

This however was not to be, for there were Hindus who disregarded the caste system almost from the outset. They encouraged the servile class to come slowly into closer social contact with the upper castes. As a result miscegenous unions between these Hindus and the non-whites began to spring up and a mixed breed population arose.

To nullify the effects of this growing problem the Hindus placed all half-breeds under a ban which prohibited them from having any contact whatever with persons of caste. This situation having been created by a few Hindus with no race pride constituted the first break in the racial integrity of the Aryan people.

It was ultimately to lead, over a period of centuries, into a complete obliteration of their civilization with all it had achieved and to the thorough absorption of the white man by the colored masses.

Another cause contributory to the decadence of the Aryan civilization was the advent and steady growth of Buddhism. It accelerated the process of racial intermixture by further undermining Hindu racial and religious ideas with a new mystical cult which preached a doctrine of equalitarianism.

The Negro In India

It has not been determined with any degree of certainty how long the negro has been in India. We do know however, that he has been there since very early prehistoric times and has mixed his blood with that of the other races to considerable extent, particularly in the southern part of the country.

In his, "Racial History of Man," Roland B. Dixon, in outlining the racial history of the Indian area, states as follows: "The underlying oldest stratum of the whole population is a blend of Proto-Australoid and Proto-Negroid types. This dark skinned more or less negroid population was once in all probability spread over the whole Indian region."

As has been stated, the population of southern India has since very ancient times carried the heaviest percentage of negro blood. There are in fact, at the present time, numerous tribes inhabiting the mountains of southwest India which are very strongly negroid in character, having extremely black

skins, frizzly hair, broad noses and thick lips. These people have been in the country for countless ages and are believed by ethnologists to be the descendants of those negroids who once covered the whole country in remotest antiquity.

It is interesting to observe that pure negroes from Africa were brought into India as slaves for a long period of time. It has not been ascertained when the first negro slaves were imported, but it is known that a heavy slave traffic operated between the west coast of Africa and India, at the same time negro slaves were being taken from the east coast of that continent into the Americas.

That negroes were widely employed as slaves in India there can be no doubt. Adam, in his book, "On Slavery in India," refers to the widespread use of African negro labor by the East India Company on their extensive plantations of nutmeg and clove. The slave trade did not cease in India until about 1840, at which time their number has been estimated at approximately one million.

A Chaos Of Races

Following the great Aryan invasion of India, other white invasions poured in from the same north-west mountain defiles.

The Persians, a Caucasian people, under Darius 521-485 B. C. extended their conquests to the Punjab in northern India and the great Macedonian descent into the valley of the Indus river brought the blonde, fair skinned Nordic Greeks into that same general region in the year 326 B. C.

These conquests were short lived, but nevertheless they injected into the Indian melting-pot new quantities of white blood which has contributed to the lighter skins and lighter eyes of many of the present inhabitants of the provinces of north and northwest India.

It must not be supposed that India is made up of an amalgam of only the white and black races. In addition to these two races a considerable amount of yellow blood is intermixed.

Frequent invasions of Mongoloids have descended into India from Tibet and China. Barbarian inroads converted India into a Hun province in the fifth and sixth centuries B. C. The Huns were a Mongolian people. They came in irresistible numbers and blended their blood with the conquered inhabitants.

Timurlane established the Mogul power in India in 1398 A. D. which resulted in a new infusion of Mongolian blood. Strong traces of this blood may yet be seen, in the yellowish skins, high cheek bones and slanted eyes of many of the inhabitants living in the vicinity of Tibet and Burma.

The British In India

It was over a welter of heterogeneous people that the British took control in 1755.

The fact that a handful of white men, thousands of miles from their tiny homeland, were able to conquer a huge subcontinent of nearly 200,000,000 inhabitants, is not only a tribute to British superiority, but far more significantly a demonstration of what white racial homogeneity can accomplish in the face of overwhelming numbers of a hybrid race. Even more remarkable than the conquest itself, was the ability of a few thousand Caucasians to hold in absolute subjugation the teeming millions of India for almost two hundred years.

How can such a tremendous feat be explained? Of course, the answer is clear.

When the British arrived in India they found a disunited, integrated mass of thoroughly mongrelized people who had no will to resist. It was a triumph of racial integrity over racial heterogeneity, not just a victory of the English over the Indians.

What makes the ignominious weakness of the mongrel peoples of India yet more glaring, is that the British could subjugate them at the same time they were defeating a powerful French adversary.

After consolidating their control the British soon began to bring order out of confusion. Under their guidance, schools, hospitals, roads, railroads, docks, bridges and dams were built. Sanitation was introduced and many of the most bestial native rites were abolished. Whatever progress has been made in India is not due to native ingenuity, but to beneficent British rule which brought modern civilization to a people who were incapable of producing it themselves.

The loss of India by the British must be regarded as a blow to white prestige and power. Yet this is only one of the later ominous clouds on the horizon, for white dominion has been receding ever since the Caucasian world was shocked by the first defeat of a white nation in the Russo-Japanese war of 1905.

The Growing Threat Of Color

Three lessons must be drawn from the history of India.

First, that no white civilization can survive containing in its midst large numbers of non-white people unless a separation of the races is maintained.

Second, that racial heterogeneity brings national disunity.

Third, that the frontiers of every white homeland must be made secure, so that the Caucasian race be given what may be its last chance for survival.

The fact that the British have withdrawn from India and the new negro republic of Ghana; that the French have lost Indo-China and are being hard pushed in North Africa and that the Dutch have been expelled from the East Indies, should be warning enough that the white nations have for too long abandoned white solidarity amid the wreckage of international warfare.

(Continued on Page Four)

OUR IMMIGRATION LAWS MUST PROTECT AMERICA

White powers can lose their colonial possessions and not be crippled to any great extent, but they dare not permit any further encroachment of their actual homelands if they are to survive.

All white nations should heed the warnings of history and the everyday unfolding of world events, unite their strength and absolutely bar from admittance any non-white immigration whatsoever, as the Australians have so wisely done.

This is imperative for the white race has no place left to colonize in this contracting world and therefore, every breeding ground of the Caucasian race must be held inviolate to any further penetration by the non-white races.

This can be done. This must be done solely to perpetuate Caucasian civilization and white racial integrity. If this is not accomplished every white country will eventually be destroyed by the infiltration of the numerically greater colored races of the earth.

MUST AMERICA BE DESTROYED IN THE NAME OF RACIAL INTEGRATION?

FEDERATION FOR CONSTITUTIONAL GOVERNMENT

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Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (105-34237-33)

DATE: May 23, 1958

FROM : SAC, NEW ORLEANS (105-761)

SUBJECT: CITIZENS COUNCILS
IS - X

Re New Orleans letter 4/22/58.

The following is a tabulation reflecting the status of the Citizens Council Program in the New Orleans Office:

	<u>Past Month</u>	<u>To Date</u>
Bureau Authorization Requested to Interview	3	25
Bureau Authority Denied	0	4
Pending Interviews	2	
Sources of Information Developed	0	12
Successful Interviews Conducted but not included in coverage a/c connection with law enforcement	0	4
Refused to Discuss Citizens Council Matters	0	1

The matter of developing sources and informants who can provide information relating to possible violence and interference with Federal Court orders by Citizens Councils will continue to receive close attention by the New Orleans Office.

2 - Bureau (RM)
1 - New Orleans
MRK:ejf
(3)

REC-78

EX-135

105-34237-33-35
13 MAY 26 1958

67 MAY 28 1958

INT. SEC.

Routing Slip
FD-41 (Rev. 6-14-56)

Date 5-20-58

To

☒ Director

Att CENTRAL RESEARCH SECTION

FILE # 105-34237-33

☐ SAC

Title

☐ ASAC

☐ Supv.

CITIZENS COUNCILS

☐ Agent

15-X

☐ SE

☐ CC

NEW ORLEANS

☐ Steno

☐ Clerk

ACTION DESIRED

☐ Acknowledge

☐ Assign Reassign

☐ Bring file

☐ Call me

☐ Correct

☐ Deadline

☐ Deadline passed

☐ Delinquent

☐ Expedite

☐ File

☐ Initial & return

☐ Leads need attention

☐ Open Case

☐ Return with explanation or notation as to action taken.

☐ Prepare lead cards

☐ Prepare tickler

☐ Recharge serials

☐ Return assignment card

☐ Return file

☐ Return serials

☐ Search and return

☐ See me

☐ Send Serials

to

☐ Submit new charge-out

☐ Submit report by

☐ Type

NOT RECORDED

11 MAY 28 1958

105-34237-33

SAC

Office

NEW ORLEANS

53 JUN 5 1958

~~THE~~ LAW OF THE LAND

R. CARTER PITTMAN

Reprinted from
POLICY-MAKING IN A DEMOCRACY:
THE ROLE OF THE UNITED STATES SUPREME COURT.
A SYMPOSIUM
Volume 6, Number 2
JOURNAL OF PUBLIC LAW
Emory University Law School
Emory University, Georgia
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II

133-84387-33-32

Role of the Supreme Court Symposium, No. 8

THE LAW OF THE LAND*

R. Carter Pittman†

MONTESQUIEU SAID in his *Spirit of Laws* that in a republic, rulers govern by fixed and established laws while a despot governs according to his own will and caprice without laws or rules. Again he said, "In despotic governments there are no laws; the judge himself is his own rule." But in free states, he asserted, there is a law, and where it is precise, the judge follows it; where it is not, he tries to discover its spirit.

The fundamental difference between a despotism and a republic is how "the law of the land" is made or in whom legislative power is vested, in what the law consists and how it is enforced. On every side one hears that a decision of the Supreme Court of the United States is "the law of the land" and must be obeyed by everyone whether he or she was a party to the case or not. Politicians assert the doctrine and call out troops to enforce it. Newspapers and periodicals simplify, distort and perpetuate it. Pulpits echo it, and our children are taught it. Nothing like it has ever been heard in America before. It would seem that declamation has stolen a march on history and found something new.

It was to settle the question as to who should make the law that Charles I and the Earl of Strafford forfeited their heads in the Puritan Revolution and that Lord Chief Justice Jeffries died in London Tower in the Glorious Revolution.

It was to settle forever all questions as to who should make law that the very first sentence of our Constitution was made to say:

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and a House of Representatives.

It was to settle that question that Section 8 of Article I of the Constitution reiterated in its last clause that:

The Congress shall have power . . . to make all Laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other Powers vested by this Constitution in .

* Much of the material contained herein appears also in an article by Mr. Pittman in 19 Ga. Bar J. 309 (1957).

† Attorney, Dalton, Georgia; author, *The Colonial and Constitutional History of the Privilege Against Self-Incrimination in America*, 21 Va. L. Rev. 763 (1935) and other works.

the Government of the United States, or in any Department or Officer thereof.

It was to settle that question that every power of the president beyond the execution of laws of the union enacted by the Congress was spelled out in the Constitution by words so plain that anyone who can read English and knows a smattering of American history can understand.

Section 2 of Article III of the Constitution "extends" the judicial power to "Cases in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority." Article VI of the Constitution defines "the supreme Law of the Land" as: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made under the Authority of the United States." Thus Article VI repeats the words of Article III in order that the Judicial Department could never make a valid claim that its decisions in "Cases" are "the supreme Law of the Land." Section 2 of Article III "extends" the "judicial power" to other defined "Cases" and "Controversies," depending upon the laws of nations—or of States—not relevant here. But for that *extension* the courts would have been limited, exclusively, to judging cases involving "the law of the land." Since Article III limits federal jurisdiction to cases, a decision in a case becomes the law of the case, binding only upon the parties thereto—not "the law of the land," binding upon everyone.

It was to keep federal courts from *making* law under the guise of *finding* law that the framers of the federal Constitution, unlike the framers of our state constitutions, withheld from the federal courts jurisdiction of cases and controversies arising under common law.

A republic is a government in which all laws are established by the immemorial customs of the people or are made by representatives of the people in legislative assemblies. If laws may be established or made by men not elected for such purpose by the people, whatever that government may be called, it cannot be a republic.

Writing in January 1775 in *Novanglus*, No. 7, a treatise on government, John Adams said:

If Aristotle, Livy, and Harrington, knew what a republic was, the British constitution is much more like a republic than an empire. They define a republic to be a *government of laws, and not of men.*

By 1787 the principles of republican government had been so fully discussed in newspapers, in pamphlets and in general works on law and government that the ordinary American layman fully understood that the legislature makes, the judiciary interprets and the executive executes the law in all republican governments. From 1750 until 1791, a favorite subject for discussion in America was government. Microfilms of newspapers of

those years reveal thousands of pages devoted to that subject. During these years more of the common people became expert in the science of government than at any other time in our history.

The following is a portion of a typical essay on government, copied from the front page of the *Virginia Gazette* of September 20, 1783 (four years before the Constitutional Convention). The *Virginia Gazette* copied it from the *Maryland Gazette* of an earlier date. It reveals a deep understanding of the place of the law and the judge in a republic and is sadly prophetic too:

In republican governments, and limited monarchies, many more laws are necessary than in despotic ones: The reason is that in the two former justice is almost mechanical, the judge must apply the letter of the law, from which his judgment must not, may cannot dissent. He must have either a law, or an established precedent for all his opinions; but in the latter he must consult his own feelings, and gratify his own inclinations in his decisions. In republican governments, and limited monarchies, we must look to the laws for our happiness and safety; but in despotic ones, depend upon the knowledge and integrity of the judge. In the first and second, we have the delegated voice of the whole body politic in favor of a legal decision; but in the third, only the opinion and caprice of a single member of the community, to depend upon for justice.

Republican governments will only be supported while they support justice; because being the most expensive, in order to obtain superior advantages, which if not visible the propriety of adopting another form will be manifest.

Everyone understood in 1787 that the new government, constructed by the Constitution, was to be a republic. The people were so adamant on the point that a guarantee of perpetual republican government in the states was thought appropriate to be inserted in the Constitution itself. So Section 4 of Article IV of the Constitution was made to say:

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

Thus the union of states guarantees to every state of the Union that the form of its government shall remain republican, and pledges that the republican state governments shall never be invaded from without. The same section leaves the United States powerless to use federal troops for any other purpose within a state unless called for by the legislature, or by the executive, when conditions are such that the legislature cannot be convened.

A government in which laws may be made by any man or body of men other than those who must obey those laws, or by their representatives in assembly, is a despotism.

The first paragraph of the Georgia Constitution repeats that which many American state constitutions likewise repeat:

All government, of right, originates with the people, is founded upon their will only, and is instituted solely for the good of the whole. Public officers are the trustees and servants of the people, and, at all times, amenable to them.¹

That provision of fundamental law goes back to the Virginia Declaration of Rights just as does the preamble of the Declaration of Independence which was adopted one month after the Virginia Declaration.

The statement as originally written for the Virginia Declaration of Rights was in these words:

That all power is by God and Nature vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.²

The idea that people may not be forced to obey laws except laws made by themselves or their own representatives is not an American idea—it is as old as liberty itself because without it there can be no liberty. The English colonists in America and in the West Indies insisted at all times under their charters, under the common law, and under their rights as Englishmen, that they could not be governed by any laws except those made by their own representatives. A century before the American Revolution the Attorney General of England held that the colonists could be governed "by such laws only as are made there and established by his majesty's authority."³ There was no substantial question raised about the correctness of that view in America until about fifteen years before the American Revolution.

As long as the American colonists were governed only by such laws they were happy and tranquil citizens of the British Empire. The proposition that sovereignty rests in the people and that they are bound by no laws except those they have consented to by themselves or through their representatives was contended for at Runnymede. It was fought for in England during the Puritan Revolution at the very hour when our foreparents first boarded their little ships to come to America. The proposition that kings or courts, or star chambers or judges may make laws for the people was a favorite thesis of the Stuart Kings and of Filmer.

Writing in 1659 on *The principles and maxims concerning government . . . which are asserted by those that are commonly called Levellers*, Thomas

¹ Ga. Code Ann. § 2-101 (1948).

² 1 Rowland, *The Life of George Mason* 434 (1892).

³ 10 Calendar of State Papers, 1677-1680 (Colonial), Nos. 1346-47, at 520-21 (Sainsbury & Fortescue eds., 1896). In general consult Russell, *The Review of American Colonial Legislation by the King in Council* 26 et seq. (1915); Jameson, *Narratives of Early Pennsylvania* 208 (1912); 2 Winthrop, *History of New England* 352 (1953); Winslow, *New England Salamander*, in 2 Massachusetts Historical Society Collections 137 (Series 3, 1813).

Brewster outlined the contentions of the Levellers who remained in England to fight to the end in the Puritan Revolution. He said in part:

I. First, they assert it as fundamental that the government of England ought to be by laws, and not by men; they say the laws ought to be the protectors and preservers under God of all our persons and estates, and that every man may challenge that protection as his right

II. The Levellers' second maxim, or principle about government, is that all the laws, levies of monies, war and peace, ought to be made by the people's deputies in parliament, to be chosen by them successively at certain periods of time; and that no council-table, orders, or ordinances, or court proclamations [ought] to bind the peoples' persons or estates; 'tis the first principle of a people's liberty that they shall not be bound but by their own consent; and this our ancestors left to England as its undoubted right, that no laws to bind our persons or estates could be imposed upon us against our wills

III. The Levellers assert it as another principle that every man of what quality or condition, place or office whatsoever, ought to be equally subject to the laws. Every man, say they, high and low, rich and poor, must be accountable to the laws, and either obey them or suffer the penalties ordained for the transgressors; there ought to be no more respect of persons in the execution of the laws than is with God himself if the law be transgressed⁴

The Levellers were not *levellers*. One of the cardinal principles of the Levellers was that representatives of the people are bound "from abolishing propriety, levelling men's estates, or making all things common."⁵ The name "Levellers" was given to them by the minions of arbitrary power in an effort to make them appear odious.⁶

Roger Williams, the founder of Rhode Island, was a Separatist and a Leveller and hence believed in and suffered for those principles of government that were fought for in the Puritan Revolution, the Glorious Revolution and finally in the American Revolution and that eventually became the basis and foundation of republican governments, sought to be perpetuated in our American constitutions. The Levellers in government were Separatists in religion. Since Roger Williams was both a Leveller and a Separatist, he was anti-communist, anti-socialist and pro-God. In 1644 Williams wrote the *Bloody Tenent of Persecution*. His doctrine sounds so American and so familiar now:

⁴ Dunham and Pargellis, *Complaint and Reform in England* 679, 680-83 (1938).

⁵ Petition to the House of Commons, 11th September 1648, in Woodhouse, *Puritanism and Liberty* 338, 340 (1938).

⁶ Dunham and Pargellis, *op. cit.* supra note 4, at 680.

[I]n a free state no magistrate hath power over the bodies, goods, lands, liberties of a free people but by their free consents.⁷

Again:

[W]e have formerly viewed the very matter and essence of a civil magistrate, and find it the same in all parts of the world, wherever people live upon the face of the earth, . . . I say the same, essentially civil, both from (1) the rise and fountain whence it springs, to wit, the people's choice and free consent, [and] (2) the object of it, viz., the common weal or safety of such a people in in their bodies and goods, as the authors of this model have themselves confessed.⁸

The concluding sentences of his treatise say:

All lawful magistrates . . . are but derivatives and agents, immediately derived and employed as eyes and hands, serving for the good of the whole. Hence they have and can have no more power than fundamentally lies in the bodies or fountains themselves, which power, might or authority is not religious, Christian, &c., but natural, human and civil.⁹

Thus we see that the Virginia Declaration of Rights and the Declaration of Independence said nothing about sources of power that was not being said by Americans in America 150 years earlier.

After the House of Hanover came to the throne in England and after the American colonies had grown in stature, and particularly after the French and Indian Wars, the kings and ministers of England decided it to be sociologically proper to govern the American Colonies as ancient Rome had governed her conquered provinces. Colonies were unknown in the world for a thousand years before 1600. Geography stood still that long. England had to seek an ancient precedent because there was no other. Ancient Rome sought to justify arbitrary rule over colonists by asserting that her colonies were conquered provinces and the inhabitants not entitled to human freedom, or even to be consulted about their government. Ancient Rome established and practiced the civil-law rule that government by consent does not apply to a conquered people. Indeed it was conquered people who became the slaves of Rome.

So it was that the ministers of George II and George III insisted that the American Colonies occupied the status of conquered provinces as in ancient Rome, to be governed at the will of kings and ministers by proclamations, instructions, judicial decrees and acts of a parliament that did not represent Americans. That contention was answered in hundreds of state papers prior to the American Revolution. One of the most famous answers was written into the *Fairfax Resolves* by George Mason, who wrote the

⁷ Woodhouse, *Puritanism and Liberty* 285 (1938).

⁸ *Ibid.*, at 288.

⁹ *Ibid.*, at 292.

Virginia Bill of Rights and Constitution, and later the master first draft of the federal Bill of Rights. The *Fairfax Resolves* was carried to Williamsburg by George Washington, where it became a model for the Virginia Resolves and later a model for the Resolves of the Continental Congress. Here are the first and second of those Resolves, adopted at a Fairfax County meeting, of which George Washington was chairman, in the town of Alexandria; Virginia, on the eighteenth day of July, 1774:

1. *Resolved*, That this Colony and Dominion of Virginia cannot be considered as a conquered country, and, if it was, that the present inhabitants are not of the conquered, but of the conquerors. That . . . our ancestors, when they left their native land, and settled in America, brought with them, even if the same had not been confirmed by Charters, the civil constitution and form of Government of the country they came from, and were by the laws of nature and nations entitled to all its privileges, immunities, and advantages, which have descended to us, their posterity, and ought of right to be as fully enjoyed as if we had still continued within the realm of England.

2. *Resolved*, That the most important and valuable part of the British Constitution, upon which its very existence depends, is, the fundamental principle of the people's being governed by no laws to which they have not given their consent by Representatives freely chosen by themselves, who are affected by the laws they enact equally with their constituents, to whom they are accountable, and whose burthens they share, in which consists the safety and happiness of the community; for if this part of the Constitution was taken away, or materially altered, the government must degenerate either into an absolute and despotic monarchy, or a tyrannical aristocracy, and the freedom of the people be annihilated.¹⁰

American colonial records are full of state papers, published before the Revolution, in which our forefathers hammered home the same contention that they and their posterity were entitled to be treated as freemen instead of slaves and that they were entitled to make the laws they should obey. "No taxation without representation" was merely a subsidiary slogan.

Against that background of fundamental principles settled by the American Revolution, is it any wonder that all of the constitutions of the separate states and the Constitution of the United States should provide explicitly, and in language so plain that it may not be misunderstood by anyone, that the people of America may be "governed by no laws to which they have not given their consent by Representatives freely chosen by themselves"?

Most of those in the Constitutional Convention of 1787 had risked their lives, their liberties and their fortunes in the Revolution that had come to a close six years earlier. They knew what they had fought for. They had

¹⁰ Rowland, *op. cit.* supra note 2, at 418-19.

taken up arms to decide not only *who* should govern but *how* they should be governed. Having suffered themselves and knowing the history of the suffering of their forebears and all mankind over the centuries in the struggle for freedom and dignity under the *rule of law* instead of the rule of men, always despotic, is it any wonder that our forefathers wrote into the Constitution of the United States the most important and valuable part of that for which they fought, which was the fundamental principle of the people's being governed by no laws to which they have not given their consent by representatives freely chosen by themselves? They made the Constitution say who should make the laws and how laws should be made. They intended that never again in America should they or their children answer the knock on the door to discover "the law of the land" standing at the threshold.

If a decision or decree or marshal of a federal court had been intended to be "the supreme Law of the Land," our forefathers would have said so in Article VI. A reason why the Constitution defined the "law of the land" was to exclude common law, judge-made law, or law that comes knocking on doors. Luther Martin of Maryland wrote that provision of the Constitution. He hated a government of men as much as John Adams, Mason and Jefferson.

The same section that defines "the supreme Law of the Land" adds clarity in its last clause: ". . . and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." So the plain and unambiguous words of the Constitution itself make the Constitution, acts of Congress and treaties made in accordance with the Constitution, supreme over "the Constitution or Laws of any State." Nothing else could be supreme over the "Constitution and Laws of any State."

The framers of the Constitution understood that courts exist to apply law—not to make law. In Article VI they made all judges take an oath "to support this Constitution" above laws enacted by Congress, treaties, Supreme Court decisions or anything else that might pass for national law. If decisions are the supreme law of the land, judges appointed to office on account of their philosophy instead of their learning, and unrestrained by God or government, are free to roam at large, tinkering here, experimenting there, and destroying charters and landmarks everywhere. When the framers put judges under oath, gave them nonprecarious tenure and pay and freed them from earthly fears and wants, it was the best they knew to do. They hoped that free judges, owing their freedom to the Constitution, would support it against usurped power.

If there is one thing clear from the history of our people and from the plain words of the Constitution, it is the proposition that a decision of the Supreme Court of the United States is *not* "the law of the land." The word "law" is never used in the Constitution in a connotation that might justify the belief that anyone dreamed then that a judge might make law. The word

"law" means law enacted by the representatives of the people or set forth in the Constitution itself or in treaties.

In *Swift v. Tyson*, Mr. Justice Story said for a full bench that:

In the ordinary use of language, it will hardly be contended that the decisions of courts constitute laws. They are, at most, only evidence of what the laws are They are often re-examined, reversed, and qualified by the Courts themselves, whenever they are found to be either defective, or ill-founded, or otherwise incorrect.¹¹

One of many examples of the restricted and precise meaning of the word "law" as used in the Constitution is in clause 3, Section 9, Article I: "No Bill of Attainder or ex post facto Law shall be passed." From Jeffries and Scroggs to Warren, no judge ever "passed" a law, without usurpation!

When the Congress was adopting amendments to the Constitution in 1789, the members were just as careful in writing the first sentence in the Bill of Rights as the framers were in writing the first sentence of the Constitution itself. The First Amendment says:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Thus freedom of religion, freedom of speech, freedom of the press, freedom of assembly and freedom to petition the government for redress of grievances are predicated solely upon the proposition that only the Congress may make federal laws. If the Supreme Court can make laws or if the president can make laws or if you can make laws for me or if I can make laws for you, there is no Bill of Rights, no Constitution, and no republic and all we have is a government of flesh, which is the very definition of a despotism.

Vattel's first maxim of interpretation is that "*it is not allowable to interpret what has no need of interpretation To go elsewhere in search of conjectures, in order to restrict or extend it, is but an attempt to elude it.*"¹² The meaning is in the letter and plain words of our Constitution. The Constitution means exactly what it says.

Thirty-five years ago, the eminent historian of the Supreme Court, Charles Warren, wrote:

However, the court may interpret the provisions of the Constitution, it is still the Constitution which is the law and not the decision of the court.¹³

¹¹ 16 Pet. (U.S.) 1, 18 (1842).

¹² Vattel, *Law of Nations* *244.

¹³ 2 Warren, *The Supreme Court in United States History* 748 (1922).

One hundred years before, Chief Justice Marshall said: "Courts are the mere instruments of the law, and can will nothing."¹⁴

The Fifth Amendment, with its due process clause, was adopted December 15, 1791. While it was binding upon the federal government only, it was never thought to forbid slavery in the District of Columbia or elsewhere. It took the Thirteenth Amendment to abolish chattel slavery in the District of Columbia as well as in the several states. On May 17, 1954, in *Bolling v. Sharpe*,¹⁵ the Supreme Court held that the same due process clause of the same Fifth Amendment that did not forbid ownership of Negro slaves by white people in 1864, now requires that the children of the whites go to school with the children of the slaves. If separation of races in the schools of the District of Columbia was legal in 1791 and in 1865 and on May 16, 1954, and unconstitutional on May 17, 1954, what happened to change the law? If the "law of the land" was changed, then the Supreme Court has amended the Constitution and made a law in a manner forbidden by the Constitution.

The Fourteenth Amendment was adopted in 1868. It contains the same due process clause as the Fifth Amendment, as well as a clause providing for "equal protection of the laws," both applicable to the states—not to persons. From 1868 until May 17, 1954, the Supreme Court held repeatedly that neither the due process clause nor the equal protection clause of the Fourteenth Amendment forbade the states to maintain separation of races in schools and elsewhere.

We hear much of *Plessy v. Ferguson*,¹⁶ which was decided in 1896, holding that segregation of races is constitutional. We also hear from the apologists for the present Court that it was not by a unanimous bench of the Supreme Court. In *Gong Lum v. Rice*,¹⁷ decided in 1927, the unanimous Court decided that neither due process nor equal protection are infringed by the separation of races enforced by law. That bench was composed of Chief Justice Taft and Justices Holmes, Brandeis, Stone, Van Devanter, McReynolds, Sutherland, Butler and Sanford. If integration of races is now "the law of the land," the Supreme Court usurped the power to make it in a manner forbidden by the Constitution.

When the Fourteenth Amendment was under discussion before the Congress, those with level heads and a smattering of historical knowledge foresaw the day when some new Jeffries or Scroggs or Strafford might come along and use that Amendment as an excuse to establish a judicial despotism in America. That was one reason why the last clause was added to that Amendment. It reads:

The Congress shall have power to enforce, by appropriate legislation, the provisions of this Article.

That clause is just as constitutional as any other clause. It left nothing to

¹⁴ *Osborn v. Bank of the United States*, 9 Wheat. (U.S.) 738, 866 (1824).

¹⁵ 347 U.S. 497 (1954).

¹⁶ 163 U.S. 537 (1896).

¹⁷ 275 U.S. 76 (1927).

chance, caprice or Warren. Why did the Supreme Court usurp from the people the power to change that Amendment and from the Congress the power to enforce it? The Court blandly held that on all vital constitutional issues we must now look to "modern authority"—modern authority, moreover, which prophetically advocates the abandonment of our Constitution as "impractical and ill-suited for modern conditions."¹⁸

Like the infamous Lord Bute, Prime Minister under George III before the American Revolution, the Supreme Court has found that "the forms of a free and the ends of an arbitrary government are things not altogether incompatible."

Someone has said:

A people indifferent to its past will not long retain the capacity to achieve an honored history.

Charles I is a part of the "past" of our people. We are prone to think of him as a far-off king of a faraway country. We forget that he was America's King from 1625 until he was executed on January 30, 1649. No ruler in American history, or in the history of any people, by example or otherwise, influenced the making of our constitutions as much as did Charles I.

When the Long Parliament resolved to bring Charles I to trial on January 4, 1649, it declared that "the People under God are the Original of all just Powers."¹⁹ The principal count in his indictment, returned on January 20,²⁰ was repeated seven days later in his death sentence. Gruesome as it is, it should inspire awe and hence fit this time and place in American history. Here is a part:

[T]hat he, the said Charles Stuart . . . being trusted with a limited power to govern by, and according to the Law of the Land, and not otherwise; and by his Trust, Oath, and Office, being obliged to use the Power committed to him for the good and benefit of the People, and for the preservation of their rights . . . out of a wicked design to erect and uphold in himself an unlimited and tyrannical Power to rule according to his will, and to overthrow the Rights and Liberties of the People, and to take away and void the foundations thereof, and of all redress and remedy of misgovernment, which by the fundamental Constitutions of this Kingdom were reserved on the People's behalf in the Right and Power of frequent and Successive Parliaments, . . . he . . . levied wars against the present Parliament and the People therein represented. . . . For all which Treasons and Crimes this Court doth adjudg That he, the said Charles Stuart, as a Tyrant, Traitor, Murderer and public Enemy to the good People of this Nation, Shall be put to death by the severing of his Head from his Body.²¹

Sic semper tyrannis.²²

¹⁸ Myrdal, *An American Dilemma* 12 (1944), cited in *Brown v. Board of Education*, 347 U.S. 483, 494 n. 11 (1954).

¹⁹ 7 Rushworth, *Historical Collections* 1383 (1721).

²⁰ *Ibid.*, at 1396.

²¹ *Ibid.*, at 1418-19 (*italics added*).

²² Motto of Virginia, adopted October 1779; translated: "Thus be it ever with tyrants."

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The Relationship Between Free Trade, Free Immigration, And World Government

(Excerpts from Congressional Record February 21, 1958 (Senate) Page 2209)

MR. MALONE. Mr. President a great editor, Mr. E. F. Tompkins, of the New York Journal-American, has written five important articles regarding the relationship between free trade, free immigration, and world government.

FREE TRADE NOT A SEPARATE ENTITY

Mr. President, in a letter addressed to me, Mr. Tompkins stated:

"The free-trade movement is not a separate entity. It is related in this country to the opposition to immigration regulations, and both by adoption or devolution are parts of the world government movement."

Mr. President, I ask unanimous consent that the five articles to which I have referred, which were written by the distinguished editor, E. F. Tompkins, be printed at this point in the RECORD, as a part of my remarks.

UNMAKING AMERICA: IMPORTED DANGERS

(By E. F. Tompkins)

"President Truman startled the Nation in 1948 with his point 4, a program for non-military foreign economic aid.

"The Eisenhower administration now has a point 4 of its own which is an ideological counterpart of the Truman concept—point 4 in the President's state-of-the-Union message advocated mutual trade.

"The Truman plank called for an immense distribution of American resources to develop the backward areas of the world—a multi-billion dollar process with no terminal date. The Eisenhower phrase 'mutual trade' is actually a euphemism for unilateral free trade. And the demonstrated effect of free trade is to deliver to competitive foreign products our domestic market, on which our industries, and our standards of labor, and living depend.

"Closely related to the free-trade idea is the persistent campaign to liberalize our immigration statutes. In its inception and temporary aspects, this continuing effort is actuated by altruistic motives. Civil responsibility requires, however, that the ultimate consequences of a proposed policy be considered. And even a cursory examination of worldwide ethnic trends brings forth a dual warning:

"1. This country, with an explosive increase in native-born population overcrowding its schools and highways, cannot receive, year upon year, millions of new inhabitants from elsewhere;

"2. An open-door immigration policy, which is a one-world objective, must eventuate in a vast increase in immigration which possibly could swell our population faster than our labor market could absorb it."

GHOST TOWNS

"This two-sided question—free trade and unlimited immigration—must be surveyed from two directions:

"(a) An imported competitive product necessarily displaces an American product in the domestic market, thus displacing American labor. Large-scale importation of competitive commodities may displace whole industries, such as textiles, and make ghost towns out of one-industry or single-plant communities. The only way for unprotected industries to combat alien competition in the home market is by reducing prices; and American prices cannot be reduced without reducing American wages.

"(b) In a country as heavily settled and highly developed as this country has become, with permanent or frictional unemployment of some 3 million persons, in such a country, even limited immigration tends to displace native-born workers, since immigrants need jobs. Large-scale immigration would create large-scale unemployment pools, with millions of idle workers on relief doles.

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"Unfortunately, relatively few of our politicians and publicists apprehend the problems inherent in mutual trade and liberal immigration. It is time they did, if the United States is to retain its national character and fulfill its manifest destiny in the leadership of mankind."

JOB INSURANCE: THE PURPOSE OF TARIFFS

(By E. F. Tompkins)

"Is the United States to become a free-trade country—the only one in the world?"

"Are we to destroy even the vestiges of a system which for nearly 150 years shielded the American home market from destructive invasion by low-wage alien competition?"

"Do we want to import unemployment under an illusion of improving foreign economic conditions?"

"Should we internationalize our resources and means of livelihood?"

"These are questions that Congress must answer in passing upon the administration's point IV—its mutual-trade program."

"The issue occurs in this form:

"Constitutionally, all revenue measures, including tariffs, must originate in Congress. But the last protective tariff schedule was passed in 1930. In 1934, Congress passed a Reciprocal Trade Agreements Act, permitting the State Department to reduce tariff rates by making deals with foreign countries, without reference to Congress. For several years, this has been done through an unsanctioned General Agreement on Tariffs and Trade (GATT), under which the State Department has reduced the congressional tariff wall by 70 percent."

"The administration's point 4 asks Congress (1) to extend the Trade Agreements Act for 5 years, with authority to reduce our remaining tariffs by 25 percent; and (2) to vote the United States into an international Organization for Trade Cooperation (OTC), thereby sanctioning GATT."

"In this controversy, the voice of history speaks loudly on the side of protectionism."

"The administration program contemplates the final leveling of our protective tariff system within 5 years. This obviously implies American unemployment and a debasement of American wages in some industrial areas."

"Within the same 5-year period, Western Europe is to establish a common market—a free-trade area of its own comparable in population to the American home market, which will be girded by tariff walls to protect European industry and employment from American competition."

"Thus Europe is adopting the very policy that we are asked to abandon."

FREE-TRADE VIRUS: KILLING OUR INDUSTRIES

(By E. F. Tompkins)

"Congress faces a bitter controversy over the administration's point 4—its mutual trade program—because of the great damage inflicted upon American industries and American employment by tariff reductions under the Reciprocal Trade Agreements Act, which the administration wants to continue."

"One imperilled industry is mining."

"Congress and the tariff Commission have had from this industry numerous appeals for relief. Mining may seem to be a small segment of our economy, but, according to the Interior Department in 1957, when output was declining because of low wage foreign competition, total production of our mines amounted to \$18.3 billion."

"Problems of the Nation's mining Industries," the Congressional Quarterly says, "although limited to a relatively small area of the country, are assuming the status of a major issue."

"In fact, 19 States are included in the small area, and the metals principally involved are listed as strategic by the Defense Department."

"Senator Bible of Nevada recently completed an inspection."

"At no time in recent history," he reported, "has the mining industry of our country been in such a precarious position. * * * Most of the mines in America are closed, or their production curtailed until they are practically in a standby basis."

"Market statistics support the finding."

"Copper is an indispensable material in many manufactures. The big Phelps-Dodge Corp. has reduced its domestic copper production 4 times, to a total of 22 percent, since October 1956."

THREAT TO ECONOMY

"The industry now feels, it reports, "that foreign copper imports are a threat to the economy of domestic producers."

"A bill has been jointly introduced in Congress by 14 Senators and 13 Representatives to impose an excise tax on copper imports that would offset ruinous tariff reductions made by the State Department under the Trade Agreements Act."

"Other metallic industries are in similar or worse plights."

"In 2 years, 719 out of 720 tungsten mines have been shut down, while lead and zinc production has hit a new low because of the great influx of cheaply produced foreign metals."

"Without these domestic metals, the national defense would be maimed in war, and the great automotive industry might cease in time of peace."

"Congress and the Tariff Commission know of many other industries, including textiles and fisheries, impaired by low tariffs."

"All this grows out of the free-trade theory that international commerce can be magnified by abandoning the American tariff system."

WORLD GOVERNMENT: FREE-TRADE APPROACH

(By E. F. Tompkins)

"It is hardly surprising to find advocates of world government supporting the administration's point 4—its tariff-wrecking Trade Agreements Extension Act and the companion project for United States membership in an international Organization for Trade Cooperation (OTC).

"International free trade would be an early objective of a world legislature seeking to eliminate economic, political, military, and ethnic boundaries. Point 4 is obviously a free-trade program—hence it is a vestibule to world government. For—

"Overt establishment of world government, by a single action, might be impossible. But world government can be brought about in stealthy stages, one at a time. Accordingly, Atlantic Union—a world government movement with some congressional backing—represents a gradual process. Its purpose is to convert NATO (North Atlantic Treaty Organization) into a regional super-government, which would provide a foundation, both political and military, for denationalized global rule. Similarly, an OTC, in conjunction with our Trade Agreements Act, would comprise a form of internationalized economic dominion, more widely scaled than NATO, which could be merged into a world government with military and political attributes.

"The American people are insufficiently aware of the progress already made toward economic supergovernment".

IMMIGRATION LAWS: A FORM OF PROTECTION

(By E. F. Tompkins)

"Opposition to tariffs is frequently conjoined with opposition to immigration legislation.

"In fact, the conjunction is expressed in a political slogan of Marxist origin—"Free movement of goods and persons everywhere."

"The composite idea confronts Congress in two separate propositions. One proposal is the administration's point IV program for free trade. The other is its recommendation that the selective immigration law be liberalized. And both are of prime importance, for tariffs and immigration restrictions have the same purpose—the protection of American jobs.

"Of the two proposals, the second is the more dangerous, since it implies a permanent abandonment of immigration limitations at the very time when vast and unprecedented population pressures, abroad and at home, are making such limitations most necessary.

"Competent students of the demographic problem are wondering today if the United States has the area and resources to support the native-born population that will be ours, and to maintain our standards of living, a few years from now, even if immigration were abolished entirely.

"Last August, on the basis of official statistics, U. S. World & World Report presented an analysis of our domestic situation.

"In only 18 years, it said, this country will have a population increase of 60 million persons—an increase greater than the present populations of the British Isles, France, West Germany, Italy or Spain. Our 1975 population will be 227 million, without immigration."

POPULATION SWELLING

"At the same time, world population is swelling still more amazingly, according to a United Nations survey.

"In 4 years (1951-55) world population grew from 2,519,000,000 to 2,691,000,000. The increase alone—172 million—exceeded the present population of the United States.

"World population will be more than 3 billion in 10 years; unless checked, it will be 6 billion by the end of this century, and 13 billion in the year 2050.

"The biggest growth is in overpopulated, undeveloped regions, where few people are enjoying a decent standard of living and where the poor may be growing ever poorer."

"Unfortunately," the U. N. bulletin commented, "rapid population growth itself hinders programs of economic and social development in those areas."

"All this presages vast migrations in a near future from overpopulated continents, if the migrants can find places to go; and hundreds of millions of them will want to come into this country, which itself is becoming densely crowded.

"Obviously, the United States must rigorously maintain the principle of selective and restrictive immigration and restore the protective-tariff system—otherwise, the socialistic idea of free movement of goods and persons will simply alienize America instead of Americanizing aliens."

MR. MALONE. Mr. President, I also ask unanimous consent to have printed in the RECORD, as a part of my remarks, the letter, dated February 18, 1958, sent to me by Mr. E. F. Tompkins.

Quotes from letter of Mr. E. F. Tompkins

"Free traders do not seem to know that they have become passengers on a Marxist bandwagon. They are confused by their own special interests and an agreeable international economic philosophy which really belongs to their sociological enemies.

"Advocates of more liberal immigration policies are concerned about temporary distresses in other countries and are unwilling or unable to look ahead for 25 to 50 years with respect to this country.

"What we need is an American policy, comprising (a) a protective tariff system, and (b) selective and restrictive immigration laws. The combination will keep us from importing mass unemployment and an excessive unassimilable population, and from being merged in world government.

"If you accept these ideas, and can popularize them, you may be called a great American."

YOUR SENATORS AND CONGRESSMEN NEED YOUR VIEWS

WRITE THEM TODAY—GET OTHERS TO WRITE

Further emasculation of Immigration and Nationality Act (McCarran-Walter Act) will be destructive to America, culturally, economically and politically. Numerous bills are presently before Congress that would destroy the effectiveness of the Act to protect and preserve America.

Extension of Reciprocal Trade Legislation will be economically harmful to both American labor and industry.

Unnecessary increased spending — means increased deficit financing, increased national debt, a depreciated dollar, which means your dollar will purchase less of the necessities of life.

PRESSURE GROUPS ARE INTENSIVELY ACTIVE YOUR REPRESENTATIVES IN CONGRESS NEED EXPRESSION OF YOUR VIEWS

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237-33)

DATE: June 19, 1958

FROM : SAC, New Orleans (105-761)SUBJECT: CITIZENS COUNCILS
IS - C

Re New Orleans letter 5-23-58.

The following is a tabulation reflecting the status of
the Citizens Council Program in the New Orleans Office:

	<u>Past Month</u>	<u>To Date</u>
Bureau Authorization Requested to Interview	0	25
Bureau Authority Denied	0	4
Pending Interviews	1	
Sources of Information Developed	2	14
Successful Interviews Conducted but not included in coverage a/c connection with law enforcement	0	4
Refused to Discuss Citizens Council Matters	0	1

The Sources of Information developed are identified
as follows:

2 - Bureau (Registered Mail)
1 - New Orleans
MRK:eo
(3)

REC-65

105-34237-33-37

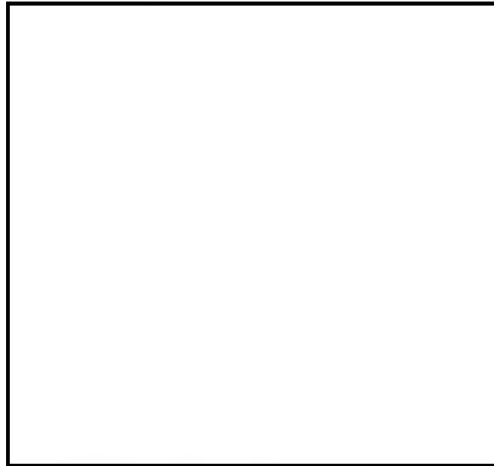
11 JUN 23 1958

EX 105

59 JUN 26 1958

INT

NO 105-761



b6
b7C
b7D

The one interview which is still pending was approved by Bulet 5-26-58, entitled "CITIZENS COUNCIL OF MOREHOUSE PARISH, INC., IS-X." The interview was with Mr. [REDACTED] Pursuant to the Bureau's instructions in Bureau letter dated June 13, 1958, that this program be discontinued, the interview with Mr. [REDACTED] will not be conducted.

b6
b7C

The above tabulation reflects the results of this program to date, and pursuant to Bulet 6-13-58 instructing that the program be discontinued, this case is being placed in a closed status.

4
(S.T.)
+
Routing Slip
FD-4 (8-18-54)

Date 6/20/58

To
☒ Director

FILE # 105-34237-33

Att. CENTRAL RESEARCH SECTION

☐ SAC

Title

☐ ASAC

CITIZENS COUNCILS -

☐ Supv.

☐ Agent

15-X

☐ SE

☐ CC

☐ Steno

☐ Clerk

New Orleans

ACTION DESIRED

☐ Reassign to

☐ Initial & return

☐ Open Case

☐ Send Serials

☐ Search & return

☐ Expedite

☐ Submit report by

☐ Recharge serials

☐ Correct

☐ Prepare tickler

☐ Call me

☐ Return serials

☐ See me

☐ Acknowledge

☐ Type

☐ Submit new charge-out

☐ Bring file

☐ File

☐ Leads need attention

☐ Delinquent

☐ Return with explanation or notation as to action taken

File

100 serial
returned
run 1517
OK

SAC R.V. ABBATECHIO
Office NEW ORLEANS
105-34237-33-38

A

60 JUL 11 1958

ENCLOSURE

REC-55 105-34237-33-38

NOT RECORDED

15 JUL 3 1958

EX. - 133

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Headquarters:

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FINANCIAL AND ACTIVITY REPORT

June 15, 1958

January 1, 1957 to December 31, 1957

Enclosed herein is report covering activities for the year 1957, together with Financial Statement (which Statement has been audited by Certified Public Accountant, who rendered his services without compensation).

From contributions and disbursements, we were able to purchase, produce and distribute approximately 250,000 individual pieces of literature.

Also, we solicited and secured funds for the printing and distribution, in excess of 100,000 copies of article by Honorable Herbert S. Saks -- "MIXED SCHOOLS-MIXED BLOOD". These funds went direct to the organization, who paid for printing and distribution, which was included in our receipts and disbursements.

We solicited and raised funds (which are not included in our receipts and disbursements) for the producing and distribution of film, radio tapes and five-minute television films, produced by S. S. Saks on the Civil Rights legislation to Radio and Television stations, who requested same, in States outside of the South.

It is our desire to express our sincere appreciation to those who have made our organization possible through their voluntary contributions, and to those who, although unable to contribute financially, have requested and distributed all copies of our literature and distributed to those who would be interested in our work.

Through contributions from those able to contribute, the distribution of literature will be able to awaken a new generation of American citizens facing our Nation's problems.

FINANCIAL SUPPORT FROM THOSE ABLE TO CONTRIBUTE, IS NEEDED AND WILL BE APPRECIATED.

Yours sincerely,

John U. Barr

Chairman, Executive Committee

JUB/kk

SEE OVER FOR FINANCIAL REPORT

SCHOOL INTEGRATION - FOUR YEARS AFTER

The South vs. the High Court's 1954 Ruling

By JAMES KILPATRICK

IT HAS BEEN four years now, since May 17, since Chief Justice Warren passed upon a packed courtroom and began reading the brief opinion we have come to know as *Brown vs. Board of Education*. In the whole history of the Supreme Court of the United States, no single decision has had an immediate impact more profound than this one, or caused more controversy, or evoked more bitter resentments. Those who support the Court's opinion might accept those criticisms, but would contend that no decision has accomplished greater social good. However the School Cases are viewed, pro or con, few persons would question their surpassing place in the judicial history of the United States.

The point merits brief elaboration. Ask any freshman law student to name a dozen great landmark cases, and he probably would begin with *Marbury vs. Madison*, touch upon *United States vs. Judge Peters*, lump together *Flaetser vs. Peck* and the Dartmouth College Case, then emphasize *McCulloch vs. Maryland*, *Gibbons vs. Ogden*, and *Martin vs. Hunter's Lessee*. Your student certainly would include Dred Scott in his list, and perhaps nominate the Slaughterhouse Cases from the Reconstruction Period. The NLRB decisions of April, 1937, followed a year later by the sweeping pronouncements of *United States vs. Darby*, and still more recently by the *Wickard* and *Watts* cases—all these surely are landmarks.

Yet none of these opinions quite touches *Brown vs. Board of Education*, and the reasons why this is so go to the heart of this essay. The people—the five and a half million American human beings of 1803—really had no great interest in Mr. Marbury's appointment as a justice of the peace; the profound implications of Marshall's assertion of judicial authority did not affect them personally. In the same way, the Supreme Court's declaration of power to invalidate state laws, as in *Coburn* and *McCulloch*, touched few persons intimately. The man in the street of 1824, reading the *Gibbons* case, had no vast concern for new doctrines of interstate commerce. Questions of state contracts, fugitive slaves, Federal taxation, even the issuance of currency

—important as these questions were, they were largely impersonal in their application. Seldom did these opinions spark limitations of long standing; and in almost every case, cogent reasons of law were advanced to support them.

The school cases of May 17, 1954, fell in a class by themselves. Here the Supreme Court held that the Fourteenth Amendment, as then given, gave the power of maintaining racially separate public schools; and, in a companion case, the Court held it "unthinkable" that the Constitution imposed a lesser inhibition on the Federal Government in Washington. (As Judge Ralph Cahill has remarked, what the Court held to be unthinkable, until that day had been universally thought.) The effect of the opinion was to wipe out an understanding of the Fourteenth Amendment that had prevailed for 86 years.

The ruling struck down the school segregation laws of 17 states and the District of Columbia; it immediately, personally and directly affected the lives of millions of school children and their parents. And the Court accomplished all this not on the basis of law, but upon "the extent of psychological knowledge." Members of the Court, agreeing in the *Brown* opinion, questioned some of the oldest rules of judicial construction; they usurped the power reserved to the states to interpret the Constitution, and they substituted their own notions of public policy for the plain meaning of the Constitution they were sworn to uphold.

SO VIOLENT an explosion must cause vast changes. It is entirely too soon to appraise these consequences fully; and those of us in the Old South, attempting to cope with what is seen as the devastation of a social order, are doubtless the wrong ones to attempt an appraisal anyhow. For the South, these four years have been like the day after an earthquake: the ground still trembles, and the damage may be more or less severe than it seems. Looking back, one senses a blur of names and faces: Autherine Lucy; Martin Luther King, the bear-like bulk of Thurgood Marshall; Orval Faubus, and Judge Davis; and the Clinton Elvess. One remembers, too, the torrent of

has been a flood of magazine articles alone is overwhelming. We have wondered usually when, if ever, our adversaries would scramble upon something else to write about; but the subject is so complex, and its implications so grave, that the flood of comment rolls on.

Let me suggest eight areas of impact that might be considered. I put them down in no special order: (1) the schools themselves; (2) the future of education and other public institutions in the South; (3) white and Negro relations; (4) population patterns; (5) public opinion; (6) politics; (7) international relations; and (8) law.

The 17 states and the District of Columbia affected by the School Cases have a public school enrollment of some 9,431,000 white pupils and 2,922,000 Negro pupils. Their school systems are subdivided into school districts, of which 3,000 districts are biracial. The fourth anniversary of the opinion finds approximately 760 of these districts "integrated," and 2,240 not integrated. I put the word "integrated" in quotation marks to suggest that, in some of these districts, integration has been accomplished in the barest token degree: one Negro pupil among 6,800 in Winston-Salem, N. C., four among 7,700 in Charlotte.

The statistics on this whole subject are deceptive, and need to be examined with care. When it is said that two million white children and 350,000 Negro children are now in "integrated situations," it should also be said that except for nine districts in Arkansas, three in North Carolina and three in Tennessee, all these integrated situations are in border states and in the District of Columbia. Four years after the decision, not a single public school is regularly integrated in Virginia, South Carolina, Georgia, Florida, Alabama, Mississippi or Louisiana.

WHAT CARRIES perhaps the greatest significance is the fact that the trend toward voluntary integration has all but stopped. Of the 760 school districts now classified as integrated, 557 were integrated by the fall of 1955, and 723 were integrated by the fall of 1956. The movement now has stalled. Except for a few mop-up districts in fringe areas, the advance of integration will prove henceforth an inch a time. Court orders are met at resistant defend-

both old and new. The atmosphere is an atmosphere not of acceptance but of active or passive hostility. There is a maxim that no law can be offensive when it is imposed upon a community against its will; and when such imposition is attempted, it is not called law, it is called tyranny. It is in this light that the Court's decrees are viewed over most of the remaining unintegrated districts.

How well has integration succeeded in the 760 districts where it now obtains? In some areas, surely, it appears to have worked quite well indeed. For the most part, these are border areas in which the Negro school population is relatively small, or they are areas having relatively little identification with a peculiarly Southern way of life. In other areas, such as Washington, D. C., it is difficult to weigh the picture because the picture changes so rapidly; the District's schools are now more than 71 per cent colored, and in lower elementary grades the figure approaches 80 per cent. Many of the District's schools, for reasons of residential geography, thus are virtually segregated all over again.

Elsewhere, in some of the more virulent areas, the Court's social experiment is not going too well. Correspondents of the Southern School News, interviewing white parents and teachers in integrated localities in Arkansas, Tennessee and North Carolina, found opinion still resistant, still unchanged. Even the minute degree of race-mixing that now obtains in these areas has been accepted with reluctance and with a helpless sense of resignation to a distasteful inevitability.

It will be recalled that two of the school districts that figured in the original School Cases were Clarendon County, S. C., and Prince Edward County, Va. Namely, both districts remain fully segregated to this day, and for the same reason: If Negro plaintiffs wish to push their victory at court to a showdown at the schoolhouse, all public schools in the two localities will be abandoned. In each case, plans are far advanced for the establishment of private schools for white children. What would become of the Negro children is uncertain. The implications of so drastic a decision can merely be acknowledged here; it must suffice to say that the prospect of closing deeply cherished schools is a miserably unhappy one all around, and represents to the white parents and taxpayers only a final desperate choice between evils.

This willingness to abandon a public facility, as a last resort, in preference to using it integrated, is a

anywhere in the South. I am advised that no new municipal swimming pools, if any, have been constructed in the unyielding South in the past four years. No new municipal golf courses have been opened in these states, and several municipal courses, indeed, have been abandoned and sold. Greensboro, N. C., is the most recent city to take this step, and the decision is all the more notable in Greensboro because of the generally "liberal" political climate that obtains there. To replace such public facilities, private recreational clubs are multiplying across the South at a phenomenal pace. Instead of calling upon government for a swimming pool and a tennis court, these groups are providing their own, at their own expense. Wholly apart from the integration issue, this is a marvelously healthy trend.

What is not healthy at all, and is to be most keenly regretted, is the palpable decline in white and Negro relationships across much of the South. This decline is not to be charted in anything so measurable as interracial violence. We have experienced, thankfully, very little of this so far. Indeed, I would imagine there are more incidents of interracial violence on any Saturday night in Brooklyn than the whole of Virginia would experience in a year. We are too far apart down here for that. And this apartness is growing. The Brown decision served to snap old lines of communication; it swept away the social foundation on which white and Negro had dwelt tolerably together.

PRIOR TO May 17, 1954, the Negro's status in the South was that of a subordinate. Now, it may have been wrong for the white Southerner to have thought of the Negro in such terms—probably it was; you grow up with such things—but as long as a subordinate relationship is a familiar and normal relationship, known to every man who has a boss over him. There are ground rules in such a relationship; men know where they stand. In the South, that status has abruptly shifted; the Negro is seen now as plaintiff in a lawsuit, as party litigant, an antagonist. Where once we had thought of our society as Negro and white, now the judicial earthquake has tumbled up a new relationship of Negro versus white, as if we met in pleadings only. In individual cases, of course, a warm affection still binds countless whites and countless Negroes, but class-wise, or group-wise, the dividing gulf grows wider.

The impact of *Brown vs. Board of Education* has not been felt in the South alone. Beyond question,

the School Board contributed greatly to an acceleration of Negro movements. Here, again, many of the statistics are uncertain and deceptive, but it seems evident that thousands of Southern Negroes, motivated in part by an impression of their changed status, or by an awareness of mounting tensions, are moving from the rural South. For many of them, it has been a bitterly disillusioning experience, and some of them, weighing the open segregation of the South against the mean hypocrisy of the North, have come home again. They are few. If the massive migration has slowed, it remains impressive; and in such cities as Washington and St. Louis, white residents are fleeing before the tidal wave. In the past seven years, Chicago's Negro population has leaped from 277,000 to 740,000, St. Louis's from 108,000 to 235,000, and Washington's from 187,000 to upwards of 325,000. The census of 1940 found only 20,394 Negroes in Gary, Ind. Now there are 61,000.

Where public opinion stands on all this cannot say. Professional polls seldom ask the right questions. But I hope not to exhibit too much bias, bated word, by venturing the thought that the South's position is gaining sympathetic support on two fronts. It seems to me we are hearing far more informed criticism of the Court's ruling, as a legal opinion, than we were hearing two or three years ago; when so eminent a jurist as Learned Hand suggests, in the most thinly veiled terms, that the Court acted as a super-legislature in the Brown case, more laymen in the South are bound to experience gratification.

Secondly, it seems to me that as Northern cities experience at first hand the social meaning of large Negro populations, more persons will come to understand something of the white Southerner's objection to placing his 14-year-old daughter in an integrated high school. What may come of this trend in opinion, if it is a trend, I have no way of predicting.

The confusion of sentiments and positions changes most surely will be reflected, however, in the face of partisan politics. Whenever the Southerner hoists a tentative hand these days, feeling the rafters above him, he discovers he has no political roof over his head. That, too, has been blown away. Senators Paul Douglas and Hubert Humphrey, among others, are vocally willing to read the South out of the Democratic party. Mr. Eisenhower effectively read the South out of the Republican party at Little Rock. There is not a prospective candidate of any stature in either party for whom the South willingly or happily would cast its ballot now.

The seventh area of impact in my notes is headed "international relations." The alleged consequences here are equally hearsay evidence, or at least highly difficult to appraise. We of the West are constantly told what singular damage we have abroad by our dreadful customs; we are advised that *Brown vs. Board of Education* could have been justified, apart from law or sociology, in terms of diplomatic advantage. If the people of Little Rock were appalled by Mr. Eisenhower's army last fall, it is said the people of New Delhi were even more greatly aggrieved.

That leads me finally to the impact that seems greatest of all. What is happening to law. In retrospect, it may be seen that Brown vs Board of Education set off a wave of judicial tremors unmatched in the country's history. It was the first in a series of judgments which have placed the established rights of property and the police powers of the state, at the mercy of the supposed rights of the individual. After Brown, the defense Nelson W. DeBevoise, Stephen S. Ware, Kampberg, et al., v. State of New York

But on this point, the white south has good reasons for insisting, and the Negro has good reasons for pressing its legal demands. It is not on either sides, looking to the future, that we can achieve. We do not need to be told that we know this: over the years, the various integration have told us, over and over, that good to all, the end justifies the means.

HUMAN EVENTS Vol. 10, No. 1, 1973
It is published weekly at \$75.00 a year.
and reports from 1970, 1971, and 1972.
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~~X~~ DIPLOMATIC HYPOCRISY

HAS NOT -- CAN NOT
ESTABLISH WORLD PEACE WITH HONOR

File

Communist Imre Nagy of Hungary is dead, murdered by his former comrades in the ideology he strongly supported. The all-powerful and mysterious "Supreme Court" that ordered his murder was of a type not much different than that which Comrade Nagy had used to create and maintain "Hungarian Communism".

His secret trial and conviction was almost identical to the secret trials and convictions he used to establish Hungarian Communism in Hungary by his "Hungarian Socialist Dictatorship".

Political murder by use of appointed Judges dedicated to socialism is no exclusive Moscow product. Nor did Moscow invent the slavery of the "majority" by a well organized minority.

Nor was violence, lies, distortions and political brutality invented by Moscow, as the required tools to bring about the establishment of a "Dictatorship of the Proletariat". Any reader of Marx knows that.

Regardless of what Imre Nagy was, his own lifetime scorn for the disorganized majority did not lessen the horror and guilt of the socialist political savages who ordered his execution.

The bloodstained hands of the Nagy executioners, those foul mouthed liars who violated their promise of "safe conduct", after he left the safety of Tito's Embassy, were of course just a little additional evidence of the ever present hordes of uncivilized beasts that these "Dictatorships of the Proletariat" have produced. We will never know and can only wonder what thoughts filled the Nagy mind during his last hours, as he witnessed the inexorable movements toward his end at the hands of the wanton, cold-blooded and sadistic mongoloids he had helped to power.

We wonder if, even, if only for a moment, at some time before his slaughter, Nagy did not wish he could send a message of warning to the "Free Men", who still struggled to keep their freedoms out of the greedy hands of a "Centralized Bureaucracy".

The purge of Imre Nagy was not an isolated, unexpected act of the Socialist tyranny that ordered his murder. For more than forty years socialist tyranny has made that type of senseless beastiality one of their own exclusive trade-marks.

If we really, and sincerely want to shed the tears of Libertarians, let them be for the vast majority who fertilize the fields of China, from either above or below the "plow shares" in the slant-eyed slaveland of brainwashed Chinese millions, under the "Red" tyranny of the Chinese "Dictatorship of the Proletariat". The oriental tyranny that our own blundering stupidity helped to create. The slaughtered millions of innocent and ignorant Chinese are just as dead as the wiser Imre Nagy.

Let's also save a few tears for those whose bones have become a part of the loam of Katyn. The dead who sleep in that forest were proud "Poles", who wanted no part of socialism, "Polish", or Moscow style.

If the treacherous execution of Comrade Imre Nagy has created another chapter of doubt in the record of alleged sanity of collectivist atheism, then China, Poland, East Germany, Hungary, Albania, and on and on ad infinitum should now finish that book. The record of these hands wrote it, now by their own admissions, shows that they will willingly deceive, slander, smear, or murder any and all, and by the millions, if required, to complete the enslavement of those within, or still outside their expanding orbit.

Comrade Nagy died while crazed cult leaders of socialism jockeyed for positions of power. Nagy was not fighting for freedom. He fought for his place in the Communist sun. He wanted the Hungarian majority to have the "right" to contribute their slave labor to the Hungarian socialism, which held out some hope of being not quite as harsh as the Moscow clique.

The dead, whose blood stained the streets of Budapest and reddened the Danube in the Fall

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CITIZENS COUNCIL - NEW ORLEANS

of 1956, would have accepted Imre Nagy as, at least for them, a step in the march toward the re-creation of "The Dignity of Mankind" in that unhappy Hungarian land.

The shame and remorse of the "Butchers of Hungary" should be immense. But what of our own shame? Dare we forget that during the years of this crazed, bloodthirsty and savage slaughter, we occasionally wept a few tears and then quickly dried our eyes so as to be able to read a few lines of our righteous prosecution of some crooked labor leaders, or racketeers, which eased our inner-conscience and then we hurried off to break bread with these self-confessed murderers.

Every day, somewhere in the world our representatives eat Russian Caviar, and drink their Vodka, and exchange toasts of hypocrisy, during the hours before and after our daily diplomatic integration with these mad dogs in either the meeting rooms of Diplomacy, or in the halls of the equally guilty, but pious speechmakers of the United Nations.

Dare we forget, while we honor these "Butchers" as the recognized lawful representatives of the socialist enslavement, their "Butchery" created, we also enable them to strut and preen themselves in the UN before their voiceless slaves, as a reminder that at least "officially" 170 million Americans have no scruples about swallowing the foulness of socialism.

Dare we forget that, while the countless victims of oriental or occidental socialism are losing their last hope of an aroused "International Honor" against such terror, we are doing business with the Red terrorists in the open daylight and shamelessly attending the gala, if somewhat drunken parties with the Red controlled, ruthless maniacs at night.

Comrade Imre Nagy now lies moldering in his grave, a victim of Diplomatic Duplicity he himself had learned from the teachings of Comrades Marx and Lenin. Comrade Nagy is now forever silent. But Comrade Menshikov is not silent. He smiles his way through the same brand of Diplomatic Duplicity in his job of socialist service to noisy Comrade Khrushchev, who at this moment happens to be head man of the Diplomatic Duplicity that ordered the murder of their fellow pupil. His murder is advertised by his assassins as a warning of the like fate that will be in store for those who refuse to join, or pay tribute to their syndicate.

The errors, the life and death of Comrade Nagy need not be in vain, if the majority in our own land will, at last refuse to just deplore and then forget, for we have so much that must be remembered.

To remember that our Supreme Court of these United States has lost (if they are not blind) their last excuse to continue to label socialism, or communism, as a "simple political belief".

To remember that the socialists and communists, who are aided by our Supreme Court, have studied the same duplicity, violence and murder and, from the writings of exactly the same teachers who taught the inhuman scum, who currently commit their crimes against all humanity without fear or shame. Steve Nelson, the American-born Judas who was given freedom and forgiveness by our sadly misinformed Supreme Court is much more powerful, and equally as dedicated in the service of his socialist masters of human degradation, as is his associate, Comrade Kadar, the Hungarian Judas, who presently is the puppet "Boss" of the Hungarian branch of the same syndicate Nelson, now free, represents here.

What errors we have made, or indifference we have shown need not count too much, if we resolve to take our survival as a free people as one of the most important duties of citizenship in these United States.

If our Supreme Court, in their sheltered cloister, still fails in its duty to protect, preserve and defend this Republic, then let us resolve that while we read and run we will also give a moment or two toward the task of reminding our elected Congress that they have a duty to legally awaken the "Court" to the perils made so clear and understandable by "the murder of Imre Nagy".

Those who died in the streets and rubble of Budapest in October of 1956, would have given their last crust of bread to have been able to demand action from a "Free Congress". Fate demanded that they give their crust and their lives.

-But not in vain, if you and I, all of us, will invest a minute and as little as a few pennies for a post card, to remind Congress that "International Socialism" is NOW the "clear and present danger" to our Nation, tell them to man the ramparts at once and, at the earliest possible session, perform every legal duty required to preserve this Union of Sovereign States—The United States of America. The Congress must help the Supreme Court to save itself and the full public confidence and respect.

Fools sleep, hoping a danger will be gone when they awaken. Cowards run away from it, and traitors try to hide it from public view.

And, as Imre Nagy caused the digging of the graves of those who resisted horror of International Socialism, it was inevitable that he could expect the same.

American patriots can still hope and fervently pray that the Supreme Court and the apologists

of communism may now regain their sight, and see this menace and the peril it poses for all people of good will.

During the past twenty years or more the spokesman of alleged "liberal" sections of both the Democratic and Republican Parties have attempted changes in many of our heretofore safe methods of American life, on the theory that such change is required for us to fulfill our destiny as leaders of a phantom called "World Conscience".

We are told that whatever we do is closely observed by all humanity and, particularly, by those who still remain neutral or without definite commitment to the socialist doctrine of Red Russia.

We, as a nation did very little more than to officially wring our hands after the massacre of Freedom Fighters in East Germany, Poland and Hungary, certainly a feeble manifestation of our hatred of injustice. We heard from only a few men in public life who, with courage, suggested that our association with Russia, via diplomatic channels, might be another of our national errors.

When the callous and brazen murder of Comrade Nagy was announced, there were a few timid suggestions, and soon official silence, and a return to "Business as usual" discussions of cultural exchanges, preparations of summit meetings, or any other activity that would soon help decent citizens to forget the enormity of the Russian crimes against humanity.

Of course, it is very difficult for a nation as large as ours to find any foreign injustice able to crystalize public determination overnight. If left alone, without the use of propaganda, we Americans are a contradiction of a very cautious and still very big hearted nation, and I am proud of both of these national habits.

But the truths of what happened in socialist Armenia on June 27, 1958, presents a picture that can give little comfort to any American worthy of citizenship in this great Nation.

Nine citizens of the United States of America, the complete crew of a United States Air Force Transport, in the uniforms of their country have now told us that on that day, the 27th of June, 1958, while they were driven off course by the fury of a heavy and extensive thunderstorm and high winds, their huge transport plane, clearly marked for identity, and unarmed, was attacked by two Russian jet planes.

They tell us, these nine fellow citizens, that they most likely were off course and then in their next breath they, in their simple but harrowing

tale of that mis-adventure, unintentionally but most forcefully, give us and the world the latest and unmistakable proof that our Iron Curtain socialist associates of diplomatic and UN cordiality are, and remain, the most sadistic mobsters of the Twentieth Century.

Within a few hours after their release from their Russian captors, on July 8, 1958, at the border of Russia and Iran, they told American diplomatic and military authorities how the Russian planes had attacked their defenseless craft, setting it on fire in mid-air and continuing such murderous gunfire after five of the nine men had already bailed out, and the remaining four were heroically trying to land the burning and crippled plane in a crash landing.

On July 8, 1958, at 4:10 P. M. — E. D. T. — a full twenty-four hours after their horror story had become known in Washington there still was complete silence, not a single voice was heard to even question the advisability, yes, the immorality of maintaining, or continuing diplomatic relations with the barbarians of the Union of Soviet Socialist Republics.

Turn back the clock just fifty years. Picture the occupant of the White House, the same 1600 Pennsylvania Avenue, Washington, D. C., at that time, July, 1908, that terribly missed humble American who did not consider himself as a "World Leader", but a man who walked "softly" and, at the same time, not afraid or ashamed to carry the "Big Stick".

He would have called our Ambassador home at a moment's notice to show the world of our refusal to have social relationships with a nation that refused to respect our national dignity.

President Eisenhower, without question, is no less a patriot than Theodore Roosevelt, but something, somebody, in some fashion, a force still a mystery to millions of us is constantly successful in a never ending panorama of proof, of an uncanny ability to create a blind side in the vision of the pillars of our Government, when it come to dealing with menace of the socialist mad dogs.

What makes our Supreme Court so blind, or what had President Eisenhower to lose by publicly reconsidering our recognition of Russia? What makes the socialist rats of Europe any different than those of Asia?

We waited seventeen years after the U. S. S. R. became a nation before we recognized them. They were withering on the vine before we did, and there is no proof worth believing on the record today that can deny they might not wither again, if we admit our error of 1934.

WARNING VOICE FROM ASIA

The world's greatest author on "Eyes that Fail to Detect Evil", at New Orleans in July, 1958; made a masterful summation of our problem. In a speech to a small gathering of friends in New Orleans, Madame Chiang spoke of not only of our own "Do-gooders with a blind spot", as she termed them, but of the (quote) "International intellectuals who aid communism by their very humanitarianism", unquote.

Of the "world's do-gooders" who want "disarmament and peace at any cost", she said (quote) "They crave survival at any price, to exist even on sufferance as beasts of burden, to them is preferable to struggling as human beings", unquote.

Mme. Chiang spoke of the "liberal leftists" in political life who advocated "the fundamentals of socialism and feared to attack communism lest their own ideas should suffer politically", unquote.

She made the speech after leaving the bedside

of a valiant enemy of communism, Lt. General Chennault, who was fearlessly facing death after a long fight against cancer.

She must have compared his determination not to compromise with communism to the "pinwheel of contradictions" of her late brother-in-law, Sun Yet-Sen, the great Chinese intellectual whose compromise and blind spots finally culminated in the fall of the entire Chinese mainland to the slavery of "Moscow socialism". That was the price of Sun Yet-Sen's unsuccessful effort to be just a little bit pregnant with socialism.

From her back to the wall stand on Formosa, she now lives but a stonethrow from communism on almost every side. The communism her brother-in-law didn't mean to create, but which finally engulfed almost all of Asia.

It would be well for us to remember Free China is the only nation on the face of the earth that has never threatened to flirt with Communism.

FEDERATION FOR CONSTITUTIONAL GOVERNMENT

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NEW ORLEANS 6, LA.

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P. O. Box 1549
New Orleans, La.

DIPLOMATIC HYPOCRISY HAS NOT -- CAN NOT ESTABLISH WORLD PEACE WITH HONOR

FACTS AND HISTORY GIVE WARNING An Enlightened Public Will Respond

Present day publicity media (most newspapers, magazines, radio and television) refuse to enlighten American citizens.

Only through literature, (such as we and other patriotic organizations issue) widely distributed, we be able to get the dangers presented.

ORGANIZATIONS OR INDIVIDUALS DESIRING QUANTITIES FOR DISTRIBUTION, WILL BE SUPPLIED SAME UPON REQUEST.

Contributions are needed to assist in large distribution of literature.

If able to contribute, your contribution will be helpful and appreciated.

Our cost for preparation, printing, handling and mailing, or express is approximately \$4.50 per hundred.

AFTER READING—PASS TO SOME ONE ELSE.

Write us for additional one or more copies.

YOU MUST CONTINUOUSLY LET YOUR CONGRESSMAN AND SENATORS KNOW YOUR VIEWS.

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ENCLOSURE
☒ See reverse side

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R. J. ABBATICCHIO, JR.
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15 SEP 25 1958

Isaac Toubin, of New York, Executive Director of the American Jewish Congress, said at Miami Beach in May of 1958,

"We must face the fact that there is a real possibility of ultimate defeat in the struggle to end racial segregation. The proponents of massive resistance in the South are not fighting for delay or moderation. Their aim is reversal in law, or nullification in fact, of the Supreme Court's decision."

You who have been members and friends of the resistance movement know what you have done. You know what your local organization has done, and you have a good idea of what your State Association, and also the nation wide organization known as "The Citizens' Councils of America," has accomplished.

You realize that the Citizens' Council organization was the rallying point for popular resistance to the unconstitutional "integration" decision of the Supreme Court. You have seen resistance grow from timid faltering efforts on the part of a few individuals to "massive" resistance with the full power of the state governments taking constitutional action towards protecting their people and their schools from destruction. Often, for the individual member, "it is hard to see the forest for the trees." It is hard to picture yourself as an important cog in this gigantic movement, but without you the movement cannot succeed.

One member observed that "It's not only what we did here in Mississippi. It's what our organization inspired people in other states to do that really turned the tide. Resistance is contagious."

REMEMBER LITTLE ROCK

The greatest encounter between the constitutional rights of the people and the states vs. the usurped powers by the Federal Government occurred at Little Rock. "Remember Little Rock" is the battle cry for people who believe it is their sacred right to educate their children in their own way without interference from politically motivated federal sources who know little of local conditions. Because of what happened in Little Rock, Americans everywhere were made aware of the vicious determination of the so-called "liberal minority groups" in their obsession to force their will upon those who differ. The entire nation owes a debt of gratitude to the patriotic citizens of Little Rock, who refused to bow to the tyranny of forced integration.

NEITHER SUDDENLY NOR GRADUALLY

The danger of sudden integration may have passed, but there is great danger, now that the frontal attack by the mongrelizers has failed, that they will resort to "infiltration" and "gradualism."

Southern observers who have watched neighborhood integration in the North now realize that "Being a little bit integrated is like being a little bit pregnant." There is no such thing as being a little bit integrated. Our Northern friends are horrified to find that their original concession to "a little integration" has inevitably forced them to give up their homes and flee to the suburbs. The flight continues, and where it will stop no one knows.

MIGRATION

For economic and other reasons, brought about by selfish politicians and misinformed "do-gooders," the Negro migration to the North has increased and will continue to increase. The end result of this migration will help our cause, but we feel for our Northern white citizens. Already in many Northern sections innocent white people are being forced to suffer a second "reconstruction" such as our ancestors suffered eighty-five years ago. This is tragic. History proves, however, that the masses of people have never reacted to logic and common sense, but only to chaos and bitter experience. The best cure for "integration and Negro domination" is "integration and Negro domination," although it is a painful one that leaves many permanent scars. In many areas "the situation will have to get worse before it gets better."

RACIAL SEPARATION

The South respectfully submits that the best method by which the two races can occupy the same geographical area with a minimum of racial conflict is through the time honored and history proven expedient which is called "segregation."

THE ROAD AHEAD ORGANIZATION

The only method by which racial separation can be continued is through local, state and national organization, in order that the many powerful organizations which seek mongrelization can be counteracted. Many organizations dedicated to racial separation have started in the North and West, and there will be many more in the years ahead. Many of these organizations are not called "Citizens' Councils," but "a rose by any other name would smell as sweet," and their purpose is basically the same as ours.

POLITICS

The Citizens' Council is not a political organization, but in our form of government it is natural that sentiment in favor of racial separation will express itself politically by one method or another. This is already evident in the South, and will be evident in Northern and Western areas eventually.

OUR EXECUTIVE COMMITTEE

Listed on page 1 are the members of our Executive Committee. Four Executive Committeemen are elected to serve from each one of our six Congressional Districts. This election is held at the annual district meeting of county chairmen in each district. These are the men who set the policy and direct our State Association. Your State Executive Committee meets the third Thursday in each month, in Jackson, Mississippi, at one of the hotels there. It is always a dutch luncheon meeting. This group provides the personal contact necessary so that your Association will be truly representative of the local Citizens' Councils in the state. We ask that you note the name of your Executive Committeeman, so that you can get in touch with him at any time.

We have urged the board of directors of each local organization to hold a similar monthly meeting. The holding of these regular meetings provides a constant, competent body to deal with any local problems that may arise, and has led in every case to a strong local organization.

OUR EDUCATIONAL PROGRAM

Your State Executive Committee has engaged an outstanding lady, Mrs. Sara McCorkle, to direct Women's activities in connection with the Citizens' Council movement throughout the state, and to direct the Citizens' Council educational program for the youth of Mississippi. Mrs. McCorkle has made many talks to various Civic organizations throughout the state and to many ladies' organizations. She assists the local Citizens' Councils in carrying on educational programs for the young people in the community, in giving the facts concerning race and the reasons for the South's policy of racial separation. She directs our annual essay contest among high school students.

THE CITIZENS' COUNCIL FORUM

We now have the Citizens' Council Forum television program in nine Southern states, on at least seventeen different stations, and we have the Citizens' Council Forum radio programs on more than one hundred radio stations throughout the South. The idea is to inform our people, here in the South, as to the true facts concerning "integration" and to present the South's case to the nation. As soon as possible, we intend to expand this program to cover the entire nation. Bill Simmons, as the producer of these programs, is doing a magnificent job. He maintains a complete staff at our Jackson office in the Plaza Building.

OUR OWN NEWSPAPER

Since October, 1955, we have been publishing our own monthly newspaper, which acts as the official organ for the Citizens' Councils of America movement. We have never missed an issue, and we urge the local organizations to subscribe for each member, so that the local membership will have an idea about what is going on state wide and nationally.

We have found that the most economical means of keeping our members informed and of penetrating the paper curtain which in the past has kept the truth from the public is through this fine publication. All of us are proud of the fine job that Bill Simmons has done as editor of our official organ.

Local Councils that have subscribed to our newspaper for each of their members find that they are well informed and are kept interested in this movement. Our members in Mississippi are urged to mail their copies of the newspaper to friends and relatives in the North after they have read it each month.

We certainly hope that next year each Council will subscribe to our newspaper for each of its members. The subscription price has been set at \$1.00 per year for members in lots of 50 or more subscriptions, the lowest figure possible, since no advertising is accepted. For single subscribers the subscription price is \$2.00 per year.

If preferred, you may send your subscription direct to The Citizens' Council, 1014 Plaza Building, Jackson, Miss.

OUR STATE OFFICE

Our state office in Greenwood employs, in addition to the Executive Secretary and Director of Women's Activities, four full time employees to handle national correspondence, educational publications, and administrative organizational work. Our office receives as high as 300 letters per week from forty-eight states and many foreign countries. All inquiries are answered and orders for literature are filled promptly.

We carry on an active correspondence with Citizens' Councils and other organizations all over the United States. We exchange information and carry on liaison with all sincere patriotic groups and individuals who are dedicated to constitutional government. We have mailed over five million pamphlets to key individuals and organizations in every state in the union and in most foreign countries. These pamphlets, by prominent and respected authorities, present the case for the South, states' rights and racial integrity.

Three years ago it was clearly evident that most of the national magazines were slanting news stories against the South. Lately, we have noticed a reluctant leakage of truth concerning the United States Supreme Court and the Negro race from even such rabid anti-South publications as Time and Life.

Negro migration to the North and the determined presentation of facts by Southerners has helped to bring about this phenomenon.

THE CITIZENS' COUNCILS OF AMERICA

The Citizens' Councils of America was organized in New Orleans in January, 1956, with individuals from eleven Southern States participating. It has held regular semi-annual meetings each year since that time.

We believe that this organization will continue to serve as an effective coordinating agency and information center for the various state groups. Our office in Greenwood is the national administrative headquarters.

ROBERT B. PATTERSON, Executive Secretary

WHAT YOU CAN DO AS AN INDIVIDUAL

1. Study all the facts which give concrete reasons why the South and the nation must maintain its racial integrity. You cannot do your part in educating your children, relatives,

friends, neighbors and business associates unless you know the facts. Subscribe to publications which give the truth about integration. In order to counteract the propaganda campaign against us, we must carry on a continuous educational program and you can help.

2. Join a worthwhile organization dedicated to constitutional government and racial integrity such as the Citizens' Council. Be a good member and remember that your dues and your efforts are the keys to victory. This is your fight. Organized aggression must be met with organized resistance.

3. Enlist additional members for your local organization. Educate your fellow citizens so that we may all stand together. Contact friends in other counties and states and encourage them to organize. Remember, the mongrelizers are well organized and highly financed.

4. Keep informed of all efforts to integrate the races. In this manner a mobilized public opinion may express itself from every direction against every attempt at integration.

5. Write letters expressing your views to newspapers, and magazines, as well as to your local, state and national officials. Your letter combined with thousands of others will have a resounding effect.

6. Vote for those seeking public office who actively and honestly resist the integration of the races. This also includes your school board and the governing body of your church.

7. Be alert for all propaganda movements towards integration, whether in the theatre, television, radio, athletic events, schools, newspapers, magazines, books, or the church. These programs are cleverly planned to soften our people to the idea of mixing of the races. If you should cancel a subscription or withhold patronage, give your reason.

8. Be sure you know what is being taught your children in School and Church.

9. Stand firmly in the right. Let everyone know that you stand for segregation of the races.

10. There are scalawags among us today just as there were in reconstruction days—people who live among us and thrive upon us, but who are willing to sell us out to the mongrelizers. Integrationists who live among us are much more dangerous to our cause than those who live in New York or Illinois.

PUBLICATIONS

(All Literature Postpaid)

PAMPHLETS

The Supreme Court Must Be Curbed	By James F. Byrnes
A Christian View on Segregation	by Rev. Guy T. Gillespie
The Ugly Truth About the NAACP	by Atty. Gen. Eugene Cook
We've Reached Era of Judicial Tyranny	by Senator James O. Eastland
The Citizens' Council	by R. B. Patterson
A Jewish View on Segregation	Anonymous
Segregation and the South	Judge Tom F. Brady
The Mid-West Hears the South's Story	by W. J. Simmons
Congressional Committee Report on What Happened when Schools were Integrated in Washington, D. C.	From Congressional Record
Where is the Reign of Terror?	Congressman John Bell Williams
Mixed Schools and Mixed Blood	by Herbert Ravenel Sass
The Educational Fund of the Citizens' Council	by Ellett Lawrence
Second Annual Report	Detailed organizational plan

Prices of pamphlets listed above are

10 _____ \$1.00 50 _____ \$4.00 100 _____ \$6.00

The Citizens' Council newspaper (monthly publication) _____ \$2.00 per year

RUBBER STAMPS

"Remember Little Rock" _____ \$2.00 each
 "Brotherhood by Bayonet" _____ \$2.00 each

BOOKS

Black Monday _____ by Judge Tom F. Brady \$1.00
 The Deep South Says Never _____ by John Bartlow Martin .35
 (paperback edition)
 The above may be had by writing the Citizens' Council, 207 West Market Street,
 Greenwood, Mississippi. See that your public and school libraries obtain these books.

OTHER BOOKS

The Tragic Era _____ by Claude G. Bowers \$5.00
 Houghton Mifflin Company
 The Riverside Press
 Cambridge, Massachusetts
 You and Segregation _____ by Herman E. Talmadge \$1.00
 Vulcan Press, Incorporated
 404 Fourth Street, S. W.
 Birmingham, Alabama
 American Race Theorists _____ by Byram Campbell \$3.50
 Chapman & Grimes, Inc.
 Boston, Massachusetts
 Take Your Choice _____ by Theodore Bulbo \$3.00
 Miss Louise Lacey
 P. O. Box 1435
 Jackson, Mississippi
 The Cult of Equality _____ by Stuart O. Landry \$3.50
 Mr. Stuart O. Landry
 305 Chartres Street
 New Orleans, Louisiana
 White America _____ Earnest Sevier Cox \$2.00
 Mr. Earnest Sevier Cox
 P. O. Box 116
 Richmond, Virginia
 The Sovereign States _____ by James J. Kilpatrick \$5.00
 The Henry Regnery Company
 64 East Jackson Boulevard
 Chicago, Illinois

FINANCE CHAIRMAN'S REPORT

I wish I could tell you that we have a big cash balance, that our membership has doubled or even tripled. I cannot make any such statement.

It is to be expected that our people would be apathetic because, I suppose, they feel there is nothing going on that needs attention, and that we have nothing to worry about here in Mississippi. This may or may not be true.

The long term goal of this movement is to change the outlook of people in the rest of the United States. We will be able to maintain segregation in Mississippi, but unless we can get laws changed or decisions reversed, this thing is going to nag at us for the balance of time. As for myself, I am not worried about integration in Mississippi in my life time. Lots of us have children and grandchildren, and these children and grandchildren are the ones I am thinking about. We should keep a constant flow of facts going into other states, and to do this takes money.

Unquestionably, the Citizens' Council can claim credit for initiating the fight against integration. Had not the Council movement started when it did I feel we would already have integration in some of our Southern states. Probably some other movement would have come into being, but maybe it would have been too late.

EDUCATIONAL FUND

The Educational Fund was incorporated November 15, 1956. The reason for the Educational Fund was that we were not sure that contributions to the Citizens' Council were tax exempt. We believe that since the Educational Fund of the NAACP is tax exempt, the Educational Fund of the Citizens' Council is tax exempt. So far the exemption has not come through, but we have had no kick backs on former deductions. We believe that the Internal Revenue department must declare it tax exempt.

We wanted a fund so those people who can contribute in large amounts could get tax exemptions, as this means a great deal to many people.

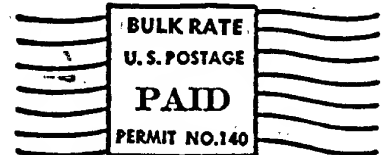
We are very careful how we handle the money in the Educational Fund, and there is simply no way for the government to declare it other than tax exempt. We hoped this fund would be attractive to large contributors. So far we have had only two individuals who have contributed \$1,000 or more.

We hope to have others.

ELLETT LAWRENCE, Finance Chairman

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 GREENWOOD, MISS.

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☐ Prepare lead cards

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CENTRAL RESEARCH SECTION
NEW ORLEANS

permit their fighting men to be put under any agency which might be controlled by a pro-Communist majority. A country which invokes military action under conditions which divide the people is already half defeated. Are we in Congress to spend our time on the latest news and forget the fundamentals?

Our First Duty - Security Of America

The security of America is our first and last concern. The duty of safeguarding the independence of our national military forces falls on Congress. The time to settle the question is now, I say, "Remember Korea!"

I am introducing a resolution providing that under the Constitution the President of the United States may not accept any office or function under the United Nations or any international agency, and may not transfer any members of our armed forces to any such international jurisdiction.

This resolution affirms that this limitation is binding regardless of any changes made by Congress by statute law, or any indirect amendments of our Constitution by means of treaty law.

If that safeguard is once established, I believe the American people will be ready to do whatever is necessary and wise, to help Lebanon and Iraq defend themselves, and prevent the outflanking of Greece, Turkey and Iran. As of today that means sending American troops into the Middle East, for one purpose only, to get Americans out as fast as possible.

If this is a civil war in Lebanon we have no right whatever to intervene. If it is not a civil war but a Communist invasion, then why put our men under the Security Council where the Soviet Union controls every action.

The Secretary-General of the United Nations said there was no Communist infiltration in Lebanon. If you have faith in the United Nations you must believe him. If you doubt his judgment, how can you put him in command over our fighting men?

Three Ways To Safeguard America

There are three ways to safeguard the United States against the new barbarian invasions. The first is to do everything to weaken the Soviet war machine. That means weakening their control over the vast supply areas in the satellite countries.

It means ending trade, loans, cultural and diplomatic relations with all Communist govern-

ments, and every country which traffics with them. Second, we must tell the nations which wish to stay free to rely on direct action, without the present costly, time-consuming, secretive international overhead, with its possibilities for Communist infiltration. Third, we must restore the United States politically and economically to the peak of health and strength.

That means we must close out now all efforts to make our country part of a One World Government. We must abandon all the thinking of the welfare decades since 1932 which would, by big spending, turn the United States into a huge, soft spongy mass, without the guts to oppose the lean and brutal strength of the Soviet Union.

Destructive Supreme Court Decisions

We must stop looking far away to Communism in the Middle East, and be more concerned about Communism here at home. The Supreme Court handed down a series of decisions which the Communist press called one of the greatest victories they had ever won. I have had a bill in the Senate for months, rebuilding this dangerous gap in our defenses. I can not get any action on it. But we must stop everything important here at home to act without time to think, because Communism is invading the Middle East.

Mr. President, I came into this body in 1947. From that time on I have watched the United States sink gradually down into the muck.

Our only trouble is that no one will take a stand. Our political parties have lost their vigor and independence. Our executive branch is seriously weakened. Our press, radio and television are deep in confusion, secrecy, and censorship. Our society is disintegrating. Our only hope is in individuals with courage. Where shall we expect to find such individuals better than in Congress?

American Fighting Men Only, Under American Flag

Where can we better begin than with a firm pronouncement by this Congress that no American fighting men will be sent into action except under the American flag, on orders of an American President concerned with no office or duty or responsibilities to anything except the security of the United States and the preservation of our constitutional liberty?

Headings and emphasis added.

THE MISTAKE OF OUR FOUNDING FATHERS

But the Founding Fathers were not perfect. They were men, and men are fallible. They were not perfect, and they were not perfect in their judgment. They were not perfect, and they were not perfect in their judgment. They were not perfect, and they were not perfect in their judgment.

The mistake of our Founding Fathers was that they did not foresee the experimental failures of the past. They did not foresee the experimental failures of the past. They did not foresee the experimental failures of the past. They did not foresee the experimental failures of the past. They did not foresee the experimental failures of the past.

Having seen their wife and children, they were not perfect. They were not perfect, and they were not perfect in their judgment. They were not perfect, and they were not perfect in their judgment. They were not perfect, and they were not perfect in their judgment.

The present day state of our nation is a tragedy. The greatest work yet accomplished by man is a tragedy. The greatest work yet accomplished by man is a tragedy. The greatest work yet accomplished by man is a tragedy. The greatest work yet accomplished by man is a tragedy.

Can our present day statesmen, leaders of an enlightened and strong Nation, built on the blood and sacrifice of the brave men of the past, continue to disregard the sinister influences overshadowing the Republic and not take the steps necessary to preserve that liberty which those sacrifices have made for us and the free world's most priceless possession?

Excerpted from "The Mistake" August 15, 1964 by John D. Bass

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- ☐ Deadline
- ☐ Deadline passed
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- ☐ Discontinue
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- ☐ Initial & return
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- ☐ Open Case
- ☐ Return with explanation or notation as to action taken.

- ☐ Prepare lead cards
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- ☐ Recharge serials
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- ☐ Return file
- ☐ Return serials
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- ☐ See me
- ☐ Send Serials
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RACE, MENTALITY AND NATIONAL SURVIVAL

By DREW L. SMITH

Member of the Louisiana Bar, New Orleans

John C. Calhoun, the greatest exponent of States' Rights who ever lived, once said:

"Nothing can be more unfounded and false, than the prevalent opinion that all men are born equal for its rests upon the assumption of a fact which is contrary to universal observation."

Of course Calhoun was right. From the very beginning of the history of mankind there has been not only an enormous difference in the natural abilities of individual men, but in addition to that a clearly discernible inequality of the human races. Indeed, nowhere has this been more manifest than in the tremendous differences and achievements of the Caucasian and Negro races.

Apparently the profound disparity between the performance of these two races is grounded upon certain inherent racial characteristics which makes it impossible for the negro race to think creatively with the vision and sustaining power that is required to develop and perpetuate a civilization.

Thomas Dixon, Jr., the well known novelist and student of races, expressed this failure of the negro to create or progress in the following vivid language:

"The negro has held the continent of Africa since the dawn of his history, crunching diamonds beneath his feet. Yet he never picked one up from the dust until a white man showed him its light. His land swarmed with powerful and docile animals, yet he never built a harness, cart or sled. In a land of stone and timber, he never carved a block, sawed a foot of lumber or built a house save of broken sticks and mud, and for four thousand years he gazed upon the sea, yet never dreamed of a sail."

The record of history irrefutably shows that when the negro is left to himself, he remains in a primitive state unaffected by the progress of the rest of mankind, until he is drawn into their civilization.

The negro has now been in America for over 300 years. Has his close contact with the

Caucasian race during these centuries raised his level of intelligence to that of the white race, and if so, to what extent has the intelligence of the white race been lowered in the process? The answers to these questions are inextricably related to the whole problem of racial integration in America and to the future of this country.

The equalitarians, integrationists and amalgamationists have concluded that there is no difference of racial intelligence because of the color of the skin or any other distinguishing racial characteristic; that it is erroneous to adhere to the very recently accepted universal belief that a man's intellectual capacity was highest if he had a white skin and lowest if he had a black one. This belief, of course, was not founded on rare individuals, but on the masses of the two races when compared to one another. It was in truth an unscientific conclusion, yet not one which was overall inconsistent with general observation covering a vastly long period of time.

In other words, the performance of dark skinned persons was so far beneath that of light skinned persons, taken as a whole throughout the world down through history, that the assumption of dark skinned inferiority cannot be said to have been an unwarranted assumption.

There are approximately eighteen million negroes in this country, and these equalitarians are ceaselessly pressing to completely integrate the white and negro races into every facet of the social structure.

It therefore behooves those who believe that there are very substantial fundamental differences between these two races to investigate the findings of the many psychologists who have applied scientific techniques to the measuring of racial intelligence.

The proponents of negro equality have not failed to avail themselves of certain sociological writings which were materially responsible for the United States Supreme Court decision of May 17, 1954, in which the Court held unconstitutional State school segregation laws.

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The Mental Superiority Of The Caucasian Race As Shown By Actual Tests

As long ago as 1829 tests were carried on comparing white and negro intelligence. A test made by Young appearing in the Journal of Comparative Psychology set forth the results of a mental examination of 282 white and negro children in Louisiana with the grading being calculated on the basis of color.

The results showed that the degrees of intelligence extended downward from the white through the lighter negroes to the blackest of that race, with the lighter negroes averaging 19.7% more intelligent than the black negroes.

Davenport and Steggerda in their book "Race Crossing in Jamaica," published the results of a study made by them on pure white, part whites and pure negroes. They found the races differed in mental capacity expressing themselves as follows:

"It seems to us that the outcome of the present studies is so clear as to warrant the conclusion that they put the burden of proof on the shoulders of those who would deny fundamental differences, on the average, in the mental capacities of Gold Coast negroes and Europeans."

In a work entitled "Applied Eugenics" written by Popenoe & Johnson and published in 1918, we find reference made to a study by G. O. Ferguson of a test given to 486 white and 421 negro students with the following results:

Full Blooded Negroes scored 69.2% as high as whites.

Three Quarter Negroes scored 73.0% as high as whites.

One Half Negroes scored 81.2% as high as whites.

One Quarter Negroes scored 91.8% as high as whites.

With respect to skin color G. O. Ferguson, in "The Psychology of the Negro," in comparing various negro groups found the lighter colored negroes superior to the darker, and concluded intelligence increased as the degree of white intermixture increased.

In his study "Intelligence Testing," by Rudolph Pintner, published in 1931, he concludes in his summarization of many tests made upon whites and negroes by himself and others that:

"All results show the negro decidedly inferior to the white on standard intelligence tests."

He states further in his conclusions that,

"These results are sufficiently numerous and consistent to point to a racial difference in intelligence."

Results of the Army Beta test given by the United States Army to 386,196 illiterate soldiers in World War I showed negro draftees to be, "inferior to whites on all types of tests used in the Army." Additionally, tests were conducted upon pure negroes, mulattoes and quadroons. It was found that "the lighter groups made better scores."

The white draft in World War I when compared to the colored regarding performance in the Army Alpha test (given to literate soldiers) revealed a wide variation in the scores. Porteous and Babcock found that,

"translated into mental age equivalents the median score of the colored was only 10.4 years, more than 2½ years below the median score of the whites."

They concluded that,

"the low level of this score indicates a very serious inability in the negro on the average to avail himself to the full of educational opportunities that are afforded him."

Finally they concluded from their evaluation of negro intelligence that,

"for such a race as the negro it can be accepted without question that there is a greater proportion, at any given level, of inferior attainments than there is of whites. Consequently, any comparisons that are made of inferior whites and negroes which show an advantage for the former, represent a real racial superiority."

S. D. Porteous and M. E. Babcock, in their study "Temperament and Race" evaluated many comparisons of negro intelligence with other races concluding that,

"these studies show that the negro actually belongs, as far as all-around ability goes, to an inferior race."

A study by Phillips in 1911 showed that the negroes in the elementary schools of Philadelphia were so much retarded that a question arose as to whether a school adapted for whites was also adapted for negroes.

Miss Ada Arlitt in 1921 tested 180 negro children in New Orleans and found that in comparison with whites of the same social level that the median I. Q. for the negroes declines with increasing age from the tenth through the fifteenth year.

S. M. Derrick, in "A Comparative Study of Intelligence" of seventy-five white and fifty-five negro college students by the Stanford Revision of the Binet-Simon Scale found negro intelligence compared with that of whites as follows:

"The negro college students are older than the white; and according to chronological age he is more retarded. The white college students have a higher average I. Q. than that of the negroes, their average being nine points higher."

James R. Patrick, concluded in, "A Study of

The Effect Of Negro Mental Inferiority And Racial Integration Upon Caucasian Civilization

The record of history is clear that negro mental inferiority has invariably slowed down, reduced to a halt, and reversed the material progress of every white civilization wherein the negro has formed any substantial part of the population. This tragic situation was brought about in every instance through the racial integration and final amalgamation of the white and negro races.

Such a process of racial integration is going

When this fact becomes clear to the American people, they will either have to express themselves in irresistible numbers to reverse the trend toward racial integration, or face in the ultimate, a retrograded and chaotic society in which both the white race and the negro race will have lost not only their racial identity, but their freedom as individuals as well.

on in America today. Unless it is stopped racial amalgamation will eventually result in producing a process of retrogression. This will not only end in the destruction of Caucasian civilization in this country, but the very independence of this Republic as a sovereign nation will be lost, in the face of other world powers forging ahead through the homogeneity of their white populations, unaffected to any extent by negro racial minorities.

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RACE, MENTALITY AND NATIONAL SURVIVAL

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Ideals, Intelligence and Achievements of Negroes and Whites" (1925),

"that the marked difference between the intelligence of the negro and that of the white, as found by other investigators, has been borne out by the results obtained in this study, the whites being superior."

Joseph Peterson and Lyle H. Lanier authored a book in 1929 entitled, "Studies in the Comparative Abilities of Whites and Negroes." They discovered that among numerous adults tested of similar background that,

"the outstanding result of the tests revealed an enormous and reliable superiority of whites over negroes in every test made."

In 1919, D. Starch, in his work "Educational Psychology" citing some results of investigations of the relation of learning in school subjects to intelligence discovered that,

"all experimental results point in the direction that practice does not equalize abilities. The gifted individuals profit more, both relatively and absolutely, than the less gifted. This experimental fact is one of the most profound bits of evidence regarding the whole pattern of heredity and environment."

Kimball Young, in "Mental Differences in Certain Immigrant Groups," a University of Oregon Publication in 1922, reaches some very interesting conclusions from exhaustive tests.

He found that the European peoples though probably all of near kind showed a marked mental superiority in the North European nationalities as against those from South Europe. He uses in explanation of this the following language on p. 98:

"The South Europeans have considerable negroid strains in the masses of the people and this fact may, in part, account for the divergence from the intelligence of the North European descendants."

He summarizes his findings as follows:

"It may be that the intelligence of groups and races is important, and any change in the percentage of high average intelligence and a wide variability giving superior members in one group or race through mixture with less intelligent (on the average) and less variable stocks will slow down the cultural advancement possible for the given group."

With respect to World War II, A. M. Shuey, comments on negro intelligence in the Armed Forces in "The Testing of Negro Intelligence," (1958) as follows:

"Negroes appear to be farther below whites on the Army General Classification Test in World War II than they were on the combined Alpha and Beta scale in World War I."

She further remarks that,

"in a long variety of tests from Strong in 1913 to Hess in 1955 in which negro and white in-

telligence was compared, the colored averaged consistently below the whites."

The author goes on to make a final conclusion from these findings that they,

"all point to the presence of some native differences between negroes and whites as determined by intelligence tests."

The investigations of Public School Conditions in the District of Columbia covered in a report of the Subcommittee of the Committee on the District of Columbia in 1957 clearly reveals the mental inferiority of the negro students.

It is significant from the many tests which were given that the negro students scored below the white students not only on the overall ratings, but on each different test. These findings revealed the fact that integration has not raised the mental level of negro pupils to that of whites as negro equalitarians claimed it would.

The Stanford achievement test given to the third-grade students in the District of Columbia in the second year of integration showed the white students were on a level with the national average whereas the negro students were already one full grade below the national average.

The hearings and tests further revealed that the higher the grade the wider the mental and achievement gap between the white and negro students. This last finding bears out the conclusions reached by earlier investigators like Garth who found from an extensive investigation of negro children that,

"The mental growth of these negro children starts at practically the same point as that of the white but steadily lags behind with increasing years."

The Committee after carefully reviewing all of their findings concluded from all available data that there is a wide disparity in mental ability to learn between white and negro students and that after two years of trial that the integration of the District of Columbia schools had been of little or no benefit to either race.

Concerning the advisability of racial admixture E. M. East and D. F. Jones in their work "Inbreeding and Outbreeding," state the following:

"The hybridization of extremes is undesirable because of the improbability of regaining the merits of the originals."

East and Jones further state that extensive surveys have shown that the mental abilities are, in large measure inherited. They finally conclude,

"there is frankly, no such thing as racial assimilation. There is only racial amalgamation. Assimilation implies that a parent stock may absorb another and make the second over like it. This is impossible. There is always hybridization. The resultant of a mixture cannot rise higher, biologically speaking than the source of the lower strains going into the new product."

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☐ Deadline passed

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☐ Discontinue

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☐ Initial & return

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☐ Open Case

☐ Return with explanation or notation as to action taken.

☐ Prepare lead cards

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☐ Recharge serials

☐ Return assignment card

☐ Return file

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South

The News Magazine of Dixie

DECEMBER 1, 1958
VOL. 23, NO. 24

COPY Article entitled: **Not The South Alone**

ALTHOUGH a beleaguered South faces a gang-up in the next Congress from radical pressure groups and goose-stepping hypocrites, the South no longer stands alone. Across the country a vocal, grassroots stirring is taking place. Sound citizens, possibly content in the past to view the turmoil over the Southern position on states rights as a sectional issue, now have awakened to the fact that the whole nation's constitutional liberties are imperiled. Mute doubts that merely rippled off the shock of the Little Rock decision in 1954 have become waves of protest from New England, the East and the West.

The Thompsonville (Conn.) Press voices its alarm as follows: "The 1954 decision outlawing segregation in the public schools was the biggest boner pulled by the court since the Dred Scott case. A proud people, a whole section of the country, was judged guilty, not by an elected Congress but by judicial decree—guilty of maintaining a system of education sanctioned by law and custom—guilty even though that system of education was declared constitutional over and over by previous decisions. To be invaded by federal troops, to be held up to scorn and ridicule by the stupid editorial staffs of the whole Northern press, as if the South were the enemy of the country instead its most patriotic and loyal section—this is the stuff that breeds disobedience; this is the stuff that foments hate; this is the stuff that divides a nation. Won't people ever learn to read history with their minds instead of their ideals? Those who use their own tolerance as an excuse for intolerance against their brothers are intolerant indeed."

In Colp, Ill., land of South-baiting Senator Paul Douglas and negro-ghettoed Chicago, white people have forced closing of their schools rather than submit to race-mixing, and have sent their children elsewhere. Observes the Wall Street Journal: "It [Colp's school] now stands as a sort of symbol of the determination of white citizens hereabouts to maintain an old tradition—school segregation. Colp's story points up the fact school integration disputes are not limited to states south of the Mason-Dixon line."

Still farther west the Omaha (Neb.) World-Herald admittedly no segregationist journal, warns: "Human relations are local. . . . Such feelings cannot be prodded by bayonets."

We do not believe the attitudes of the people and their long-established social customs can be changed as easily as the Supreme Court reverses its opinions. We think that when the court cracks its whip over the heads of the people and orders them to do right now in their home communities the opposite of what it condoned only yesterday, it is setting a precedent which may long haunt all Americans. If it

were to adopt a similar socio-psychological approach to other constitutional issues, there would scarcely be any limit to the changes it might decree. . . . Once the people permit Big Government to get its foot on their necks, only bloody revolution can save them. When the judges deserted the law to become social scientists and political philosophers, they lost much of the respect which responsible Americans ordinarily accord to the law. . . . Thus to a substantial degree in the North, and generally in the South, they failed to win public acceptance of their Little Rock ruling. Since they have failed to persuade, they evidently felt obliged to say, we are the law of the land. That is the way dictatorships are run."

Distressed editor Bonsall Rhodes of the New York Herald-Tribune sent to the Asheville (N.C.) Citizen-Times a letter he had received from a New Jersey subscriber and commented: "The feeling expressed therein and the opinion voiced are held by many thousand Northerners, quite probably millions. I personally know many that feel in this way. Subscriber S. Walling of Keyport, N.J. had written: 'More and more of us are coming to realize that Gov. Faubus, Gov. Almond, and other courageous Southerners are fighting our fight as well as theirs—the fight for our race and culture and the future of our children. At the moment they seem to be fighting almost alone. They are fighting the battle which up to now we in the North apparently lack the courage to fight. However, the South is not nearly as much alone on this question as the pressure group-dominated Northern mass media would make it appear. The true voice of the North is terribly handicapped. . . . by a one-sided press. . . . The essential rightness, reason and common sense of the South's position will eventually be recognized as more and more Northerners see—at first hand—the evil effects of integration. . . . The famous words of Winston Churchill may very well be applied some day to the South, namely that never have so many owed so much to so few.'

The views of non-Southerners quoted here are typical of hundreds which pour into SOUTH's editorial office. They come from every state and from almost every county in the nation—and they are multiplying at a rapid clip. The evidence is unmistakable that the Southern-led fight for constitutional freedom and local self-government is making tremendous headway. We of the South will surely lead this battle to a nation-saving conclusion if we placard the Quislings in our own midst and stand united. Standing with us to the North, East and West are multitudes of responsible Americans whose number and influence are steadily on the rise.

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THEY ARE TRYING TO KNOCK OUT SENATE RULE XXII

ANOTHER ASSAULT ON OUR LIBERTIES

by STUART O. LANDRY, Author and Publisher

While enemies from without, armed to the hilt, are threatening our peace and security, enemies within are trying to break down the bulwarks of our republican form of government. Some internal enemies will be aghast at being so labeled, since many are sincere and even patriotic. But, as "Hell is paved with good intentions", so well-intentioned but purblind patriots can lead the Republic to destruction.

A state can be conquered by foreign enemies or be destroyed by weaknesses inherent in its populace — lack of character, supineness, a decline of morals. But more important, a people can be misled by demagogues. Witness Athens, one of antiquity's greatest states, brought to ruin through the machinations of Themistocles who urged his fellow citizens to fight the Peloponnesian War.

Later, the Roman Republic, as the Senate began to be circumscribed, became an empire under dictators. The liberties of the people were gradually restricted, and, except under a few good emperors, the dictatorships were cruel and oppressive. S.P.Q.R. — "The Senate and the Roman People" — became meaningless.

Shall our glorious Republic go the way of the past? It will assuredly start down the road to dictatorship if some fanatical and hot-headed politicians have their way.

A real and ever present danger that now confronts us is the attack on Rule XXII of the United States Senate.

It is not thus [by arms] that the liberty of this country is to be destroyed. It is to be subverted only by a pretense of adhering to all the forms of law and yet by breaking down all the substance of our liberties.
— Alexander Hamilton

WHAT IS RULE XXII?

This is the cloture rule that enables the Senate to close debate upon any bill before it. To halt debate and bring a measure which has been "filibustered" to a vote, 16 senators must sign a motion which must be acted upon by the Senate one hour after it convenes the second day following. Two-thirds of the members of the Senate, or 64 members, must vote affirmatively to close the debate and effect cloture.

Rule XXII was adopted on March 8, 1917, and at that time permitted two-thirds of senators pres-

ent and voting to effect cloture. On March 17, 1949, the rule was amended to require the vote of two-thirds of the elected senators to halt debate.

Now a bi-partisan movement by several senators to revise Rule XXII again and to permit a simple majority of the senators present to vote a cloture is being agitated.

To make such a change in the Rule will throttle and limit debate, reduce the authority, power and dignity of each individual senator, lower the standing of the Senate as the world's greatest deliberative body, even alter the form of our government and lead to serious consequences for the Nation.

*M. Guizot (famous French historian):
"How long, Mr. Lowell, will your republic last?"*

*Mr. Lowell (ambassador to England):
"It will last, sir, as long as the ideas of the men who founded it."*

THE SENATE'S RULES SHOULD NOT BE CHANGED TO MEET ONE DILEMMA

The movement to change Rule XXII of the Senate is the result of propaganda concerning so called "civil rights." This propaganda is so strong and persuasive that it has caused many senators to consider altering the Rule so that special legislation to solve the race problem may be passed over the protests of a large minority.

Senator Clark said frankly in the debate of July 28, 1958: "Civil Rights is, of course, the primary reason why we in the Senate who believe in a stronger civil rights bill are desirous of having Rule XXII amended." All speeches of those desiring to change or modify the rule harp on "civil rights."

The right to unlimited debate or freedom of speech in the Senate transcends any one issue of the moment. Years after the civil rights issue is resolved or forgotten, other issues just as grave will arise. Should the Senate throw out Rule XXII, the principle back of which has protected minority viewpoints for nearly the whole period of our history as a Nation, just to meet a present-day situation?

No matter how right and just "civil rights" laws may seem, to enact them by removing legislative safeguards in effect so long is to burn down the house to roast the pig.

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FREEDOM OF DEBATE IN THE UNITED STATES SENATE

The Constitution of the United States (Art. I, Sec. 5) says: "Each house may determine the rules of its proceedings." Accordingly, in 1789 the first Senate adopted 19 rules, some of which regulated the conduct of senators during debate, such as Rule 2: "No member shall speak to another or read any printed paper." These first rules permitted "moving the previous question," which if carried by a majority, shuts off debate. At that time both in the British Parliament and the United States Senate it was felt that "moving the previous question" was a tactic to be employed only when delicate or impolitic matters were being aired in debate. In the first seventeen years after its organization the previous question was moved only four times and used only three times.

In 1806 the Senate rules were revised and reference to the "previous question" omitted. Since that time, with few exceptions, debate in the Senate has been free and unlimited.

There is, of course, a sort of closure known as "unanimous consent agreement." Such agreements are frequently used to fix an hour at which the Senate will vote. Since 1872 most of the annual supply or appropriation measures have placed limitations on debate. Thus when necessary or important no closure motion is needed.

On July 12, 1841 Henry Clay attempted to reintroduce the "moving the previous question" to end unlimited debate. Opposed by Calhoun the Senate rejected his proposal.

Over the years attempts were made now and then to limit debate. In 1869 four resolutions seeking to enforce cloture failed to pass. In fact, if anything, debate was made even freer because in 1872 a precedent was established that a senator cannot be taken from the floor for irrelevancy in debate.

From 1873 to 1880 nine resolutions were introduced to limit debate in some form.

On Feb. 16th, 1881 a resolution, in effect a form of "moving the previous question" was defeated. Senator Edmunds in opposing the resolution said:

"I would rather not a single bill shall pass between now and the fourth day of March than to introduce into this body, which is the only one where there is free debate and the only one which can under its rules discuss fully, I think it of greater importance to the public interest in the long run and in the short run that every bill on your calendar should fail than that any senator should be cut off from the right of expressing his opinion... upon every measure that is to be voted on here."

On January 11, 1884 the present Senate rules were revised and adopted. The only changes have been those concerning cloture.

On March 8, 1917 the Senate adopted a cloture rule in an extraordinary session of Congress at the call of President Wilson whose armed ship bill had been filibustered to death. This rule is now part of Rule XXII, revised in 1948.

SENATE DEBATE SHOULD BE FREE, UNTRAMMELED AND UNLIMITED

For over 150 years every great issue that has confronted our nation has been debated in the Sen-

WHAT THOMAS JEFFERSON SAID

It is interesting to know that Jefferson while presiding over the Senate, composed "for the use of the Senate of the United States" a **MANUAL OF PARLIAMENTARY PRACTICE**. With modifications and revisions it is still in use. He wrote: "The rules of the Senate which allow full freedom of debate are designed for protection of the minority, and this design is the warp and woof of our Constitution. You cannot remove it without damaging the whole fabric. Therefore before tampering with this right, we should assure ourselves that what is lost will not be greater than what is gained."

ate and resolved upon in spite of what is now called "undemocratic restraint." Territorial additions, population growth, great wars, increase in wealth, and many social changes have occurred since the little country of four million people along the Atlantic seaboard started us on the way to become a world power. This has been accomplished under our system of government in which the Senate has often had a decisive part.

Because of its size the members of the House must not only obtain permission from the Speaker before being allowed the floor but must limit their speeches to the time allowed, a half hour or so. Senators may get the floor without appointment and talk as long as they want to. While many of the speeches do not meet the standard set by Clay, Webster, and Calhoun and in later times, by John Sharp Williams, Albert Beyeridge, and Henry Cabot Lodge, yet they are generally most carefully prepared and well delivered.

Senators, representing their commonwealths, often have to oppose measures inimical to the interests of their states. They talk at length, debate and use delaying motions to prevent what they believe to be an obnoxious bill reaching a vote.

In the Spring of 1956 Senators Douglas, Lehman, Morse and others conducted a prolonged discussion, much unnecessary and without point, of the Natural Gas Bill. Earlier the same senators with Senator Hill fought the Tide Lands Oil Bill with long speeches and dilatory tactics. These were in the nature of filibusters, but were not so called.

Among the vicious bills defeated by Senate filibusters was the famous Force Bill of 1890-91. The absence of a cloture rule prevented the enactment of a bill, already passed by the House, to place elections for Federal officials under Federal authorities. The Armed Ship resolution in 1917 was defeated by a Senate filibuster to the chagrin of President Wilson.

Of 36 bills delayed or defeated by filibusters from 1865 to 1950, 25 later became laws. Since

This is a Senate of equals, of men of individual honor and personal character, and of absolute independence. We know no masters, we acknowledge no dictators. This is a hall for mutual consultation and discussion.

—Daniel Webster (Speech in the Senate Jan. 26, 1850)

1919 the Senate has voted to ~~use~~ cloture — the last time in 1927 — four times out of 22 moves to invoke it.

ARGUMENTS FOR FILIBUSTERING*

1. Minorities have rights which no majority should override. Government is constituted to protect minorities against majorities. Obstruction is justifiable as a means of preventing a majority from trampling upon minority rights until a broad political consensus has developed.
2. A Senate majority does not necessarily represent a consensus of the people or even of the States. Prolonged debate may prevent hasty majority action which would be out of harmony with genuine popular consensus.
3. It is the special duty of the Senate, sitting in an appellate capacity, carefully to inspect proposed legislation. Where legislation can be gavelled through the House of Representatives at breakneck speed with only scanty debate under special rules framed by a partisan committee, it is essential that one place be left for thorough-going debate.
4. Filibusterers really do not prevent needed legislation, because every important measure defeated by filibuster has been enacted later, except the civil rights bills. No really meritorious measure has been permanently defeated and some vicious proposals have been killed. The filibuster has killed more bad bills than good ones.
5. It is the unique function of the Senate to act as a check upon the executive, a responsibility it could not perform without full freedom of debate. Unrestricted debate in the Senate is the only check upon presidential and party autocracy.
6. The provision of the Constitution which requires the yeas and nays to be recorded in the Journal at the desire of one-fifth of the Members present is an intentional safeguard, allowing the minority to delay proceedings.
7. The Senate, without majority cloture, actually passes a larger percentage of bills introduced in that body than does the House of Representatives, with cloture.
8. Filibusters are justifiable whenever a great, vital, fundamental, constitutional question is presented and a majority is trying to override the organic law of the United States. Under such circumstances, Senators as ambassadors of the States in Congress have a duty to protect the rights of the States.

The leading argument against filibustering in the Senate is based on the theory of majority rule. The answer to this argument is that the Senate is not founded on this principle. It is a brake and check on the House of Representatives. It is likewise said that filibusters are not democratic. This is fallacious; as the United States is a republic, not a democracy. Majorities are often intolerant and have sometimes destroyed freedom.

Other trivial objections are that filibustering prevents efficient legislation; that it arouses popular resentment and brings the Senate into bad repute both at home and abroad; that it has delayed social legislation. These allegations are questionable.

* Arguments for Filibustering, here condensed, taken from the Report of George H. Colburn, Speeches in American Government, Legislative Reference Service, Library of Congress.

HOW WE CAME TO HAVE A SENATE

The Senate of the United States is the result of a compromise — a brilliant solution of a problem which deadlocked the convention of delegates who met in 1787 to craft a constitution. The representatives from the smaller states such as Rhode Island (population, 68,000), Delaware (pop., 59,000) and Georgia (pop., 82,500) were afraid to go into a federation where the congressional representation would be based on population alone. This would give the larger states such as Virginia (pop., 747,500), Pennsylvania (pop., 434,000) and Massachusetts (pop., 378,500) all the power, and the small states would be a helpless minority. So it was arranged that the lower house would be based on population and the senate to consist of two senators from each state. No bill could become a law unless it passed both houses. The Senate became a check upon the House. The Senate was and is a protection to minorities. Bryce said of this arrangement, "It is perhaps the most successful instance in history of what a judicious spirit of compromise may effect."

The idea of "dual sovereignty" — a sovereign state within a sovereign nation is distinctly American. The Senate protects the sovereignty of the smaller parts of the whole.

If the Senate becomes like the House, a mere passer of bills, an echo of the lower chamber, it then is only a replica of the senate or upper house or state legislatures. It would be unnecessary, as useless as the English House of Lords, and we might better have a uni-cameral national legislature.

The Senate is a check on hurried and dubious legislation. Each senator wields the power to prevent. Rule XXII is the Senate's most important rule.

The great object for us to seek here, for the Constitution identifies the Vice-Presidency with the Senate, is to continue to make this chamber, as it was intended by the fathers, the citadel of liberty.—Calvin Coolidge, Inaugural Address as V.P., 1921.

THE PROTECTION OF MINORITY RIGHTS IS FUNDAMENTAL

Senate Rule XXII is based on the fundamental concept of our government, the protection of the different states from legislative encroachments by the Federal government — in a word, the protection of minority rights.

The Senate has more than justified the inspiration that brought it into being. Bryce thinks that the Senate has best met the function that the fathers of the Constitution desired in its stability, and to restrain "the propensity of a single and numerous assembly to yield to the impulse of sudden and violent passions."

Senator Curtis of Nebraska extends this idea: "Unlimited debate in the Senate tends to slow down and prevent the passage of legislation, thereby retarding the growth of big government and lessening the burden of government on our people."

Freedom of debate is the secret of its success. No cloture, or only that permitted by Rule XXII,

of the Senate's constitutive body.

THE NECESSITY FOR THE TWO-THIRDS RULE

The Constitution requires a two-thirds majority instead of a simple majority vote on some important issues. This applies particularly to the Senate. For instance, it requires a two-thirds vote to ratify a treaty, to impeach any official of the government, or to expel a member. The President's veto can only be overridden by a two-thirds majority. An amendment to the Constitution requires a two-thirds majority vote. The Senate Rule that requires a two-thirds vote to invoke cloture is in keeping with the spirit of the Constitution.

We are not always at the mercy of a mere majority. The Constitution gives the President the right of veto. Although a bill may be passed by a majority of each chamber he can negate it by a veto. Thus one man has the power to render invalid bills passed by majorities. The veto, can, of course, be overruled if passed again by a two-thirds vote in each house. President Eisenhower has vetoed 135 bills since becoming President and none has been passed over his veto.

TO BREAK DOWN THE WALLS TO LET IN FRIENDS MAY LATER PERMIT ENEMIES TO COME IN ALSO

Now it is "civil rights" and bills aimed at the South. To pass them it is necessary to overturn long established customs of the Senate and to change Rule XXII. But having uttered the rules other sections of the country at other times may suffer for want of this protection.

The West may want to ward off legislation affecting its silver, lumber, fruit industries; the Mid-western states to defend its corn, wheat, and cattle growing; the East to protect its manufacturing, fisheries and other industries.

Oil, gas, coal, railroads, trucking, air lines,

radio, television, all are subject to legislation.

The sparsely settled states might have to fight legislation that benefits the populous states. The Senate is the protecting wall for all minorities.

CONCENTRATION OF POWER LEADS TO DICTATORSHIP

As this is written, Nkrumah is trying to change the constitution of Ghana, requiring a two-thirds vote of the parliament and the regional assemblies to a simple majority so that he can control the country and become a dictator. When rules are an obstacle, aggressive and ambitious men will try to do away with them.

Tampering with Rule XXII is permitting the camel to get his head into the tent. It won't be long before he takes over — whether the dictator be an individual or a group.

TRYING TO AMEND THE CONSTITUTION WITHOUT DUE PROCESS

The United States is the oldest continuing political institution still retaining the almost exact political form with which it began. Although criticized continually its Constitution has stood the acid test of time and functioned with an efficiency that would surprise those who put it together," says a writer. Among its glories is the Senate.

To deprive the Senate of its power and function as a protector of minorities by limiting the privileges of its members through cloture is to violate the spirit and intent of the Constitution. Altering Rule XXII so that debate may be terminated easily is in effect amending the Constitution.

Arouse Yourself, Americans! Don't Let the Passions of the Moment, Incited to White Heat by Demagogues and Well-Meaning Reformers, Influence the Senate to Give Up the Precious Right of Free Speech and Unlimited Debate. Liberty Must and Shall Be Preserved!

Write Your Congressman And Both Senators Your Views

(Even A Post Card Will Do)

ORGANIZATIONS OR INDIVIDUALS DESIRING QUANTITIES FOR DISTRIBUTION, WILL BE SUPPLIED SAME UPON REQUEST.

To assist in large distribution of literature on this subject, your contribution will be helpful and appreciated. Our cost for preparation, printing, handling and mailing, or express is approximately \$1.50 per hundred.

FEDERATION FOR CONSTITUTIONAL GOVERNMENT

P. O. BOX 14

NEW ORLEANS 6, LA.

RETURN POSTAGE GUARANTEED

Mr. Peter Johnson
P. O. Box 1547
New Orleans, La.

THEY ARE TRYING TO KNOCK OUT SENATE RULE XXII

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nease

DATE: November 24, 1958

FROM : Mr. A. Jones

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

Tolson _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____

SUBJECT: WILLIAM J. SIMMONS
 ADMINISTRATOR
 CITIZENS' COUNCILS OF MISSISSIPPI
 JACKSON, MISSISSIPPI

BACKGROUND:

Captioned individual called your office this morning to renew acquaintances. He expressed appreciation for data sent him concerning the smear campaign and pointed out their publication known as "Citizens' Councils" is carrying an article concerning the smear campaign. Simmons stated he has long been an admirer of the Director and while in town he would simply like to shake hands with the Director if possible. He has nothing to discuss and would take only a minute of the Director's time. He is returning to Mississippi this evening with Congressman John Bell Williams and he can be reached through Williams' office and can come to the Bureau within 15 minutes of notification.

You pointed out that although Simmons is a strong segregationist, he has been helpful to the Bureau and is an admirer of the Director and the Bureau. You suggested the Director meet Simmons and briefly shake hands with him.

INFORMATION IN BUFILES:

In the interest of expediency, review has been limited to the abstracts of a main file believed to be identical with Simmons. There were no 1958 see references concerning him.

In 1942 we conducted investigation concerning William James Simmons under an Internal Security - G character. At that time, [redacted] as a psychopathic case who was disgruntled with the governments of the United States and Britain for their failure to realize his ability as a potential intelligence officer and he had threatened to commit sabotage all over the country. Simmons enlisted in the U. S. Navy in June, 1942.

In a memorandum to Mr. Tolson dated 11-9-55 captioned William J. Simmons, Mr. Nichols pointed out that [redacted] had advised that Simmons was connected with the Citizens' Councils of Mississippi, was reported to be close to the Nazis and was discharged as a security risk from the Navy.

- 1 - Mr. Holloman
- 1 - Mr. Nease

DGH:mjg (8)

Copy to Mr. Tolson

RECEIVED (Continued next page)

ORIGINAL COPIES FILED IN

b7D

b6

b7C

b7D

NOV 28 1958

Jones to Nease memorandum

[] requested information concerning Simmons' background and [] was advised by Mr. Nichols that he doubted if we could help him. In regard to this memorandum the Director noted, "1. Right. 2. What have we done re letter other than referring it to ONI. It is possible the Citizens' Councils of Mississippi may be considered by AG as subversive." b6 b7C b7D

RECOMMENDATION:

None. For information.

ADDENDUM, GAN:hpf, 11/24/58

While the above does not reflect favorably upon Simmons, I certainly would not consider this man to be a psychopath. Many prominent individuals belong to the Citizens Council of Mississippi. Simmons, I know, is well acquainted with the Congressional delegation from Mississippi. Likewise, [] of the Circuit Riders Association works closely with him and speaks well of him. It is my recollection that Mr. Nichols first became acquainted with Simmons through [] Simmons thinks highly of [] He is in a position to be helpful to the Bureau and I think we should do what we can to keep him on our side. b6 b7C

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237-33)

DATE: 3/4/59

FROM : SAC, New Orleans (105-761)SUBJECT: CITIZENS COUNCILS
IS - X

Enclosed are the original of a self-explanatory memorandum submitted by SA THURMAN P. KELLEY together with the enclosures enumerated therein. Copies of the enclosures have not been made for the New Orleans Office.

Foregoing furnished for information of the Bureau.

2 - Bureau (Encls. 6) (Registered)
1 - New Orleans

RWB:ez
(3)

ENCLOSURE ATTACHED

do

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS

REG-32

105-34237-33-41

EX-13

MAR 5 1959

63 MAR 10 1959

INT. SEC.
SIX

TO: DIRECTOR, FBI (105-34237-33)

FROM: SAC, NEW ORLEANS (105-761)

RE: CITIZENS COUNCILS
IS - X

ENCLS. Original of self-explanatory memo by
SA THURMAN P. KELLEY with enclosures
referred to therein.

REGISTERED

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 07-29-2011 BY 60324 UCBAW/SAB/SBS



105-34237-33-41

ENCLOSURE

4144

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC (105-761)

FROM : SA THURMAN P. KELLEY

SUBJECT: CITIZENS COUNCIL
RACIAL MATTERS

DATE: 3/2/59

AT SHREVEPORT, LA.

On 2/23/59 [redacted] Plain Dealing, La., telephone East [redacted] advised that he is a [redacted] at Plain Dealing, La. and [redacted] for the Newspaper Production Co. in Shreveport, La. He was quite disturbed as he had received a letter from the Citizens Council, 4th Congressional District, State of La., to which was attached a memorandum and two copies of a questionnaire. The letter is to Public Officials and School Personnel and all papers bear the name of J. D. WAGGONER, JR., Chairman, Plain Dealing, La. The questionnaires pertain to the question of race segregation in public schools and other publicly owned properties and also ask questions as to their knowledge of objectives of Citizens Councils and NAACP; also whether or not the individual is a member of or contributes financially to the support of the Citizens Council.

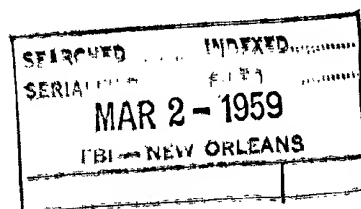
b6
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[redacted] stated that he felt that the Citizens Council was attempting to high pressure him and other public officials and even though he had his own personal views, he thought it was no one's business as to whether or not he favored segregation or integration and that he did not intend to answer their questions or attend their meetings. He stated that J. D. WAGGONER, JR., who is Chairman of the Citizens Council, 4th Congressional District, is a brother of WILLIE WAGGONER, Sheriff of Bossier Parish, and that [redacted] He turned the referred to matter over to the writer and requested that his contact with the FBI not be made public. [redacted] indicated that should he receive further communication from the Citizens Council, he would submit same to the writer.

b6
b7C
b7D

TPK:dfs

(2)

dfs

~~Monday night~~ ~~W of the church~~ ~~7:30~~
~~at the church - 7:30~~

~~Wed after 3:30~~ ~~special meeting of the W.O.C.~~
~~in observance of~~ ~~Week of Prayer~~
~~self denial~~

105-34237-33-41

**CITIZENS' COUNCIL
FOURTH CONGRESSIONAL DISTRICT
STATE OF LOUISIANA**

Dear Public Official:

Dear School Personnel:

A mass rally of elected and non-elected public officials sponsored by the Fourth District Citizens' Council board will be held in Byrd High School auditorium February 27, at 7:30 p.m. Two leaders in the movement to preserve racial segregation in public schools will address the rally.

Ross R. Barnett, Jackson, Miss., attorney and a possible candidate for governor of that state, will speak on "The Importance of the Executive Power in the Battle for Separate Schools." Emile Wagner, Jr., president of the Orleans Parish School Board, will speak on the "Orleans School Segregation Case."

Wagner has been a leader in the fight to prevent racial mixing in Orleans schools. A federal court ruling ordering integration in New Orleans is now on appeal.

A member of State Senator W. M. Rainach's Joint Legislative Committee on Segregation will also address the meeting. The speaker, whose name will be announced later, will explain the purposes of a law passed by the 1958 legislature which would put into effect a private school system if integration were ordered. Any questions you may have in your mind can be clarified during a question and answer period following this address.

Invitations to attend the rally are being sent to all sheriffs, tax assessors, school teachers, police jurors and other public officials and employees in the Fourth Congressional District. The general public will also be welcomed.

**CITIZENS' COUNCIL
FOURTH CONGRESSIONAL DISTRICT**

J. D. Waggoner, Jr., Chairman
Plain Dealing, Louisiana

**CITIZENS' COUNCIL
FOURTH CONGRESSIONAL DISTRICT
STATE OF LOUISIANA**

MEMORANDUM: **TO ALL TEACHERS AND PUBLIC OFFICIALS,
FOURTH CONGRESSIONAL DISTRICT OF LOUISIANA**

SUBJECT: **ENCLOSED QUESTIONNAIRE**

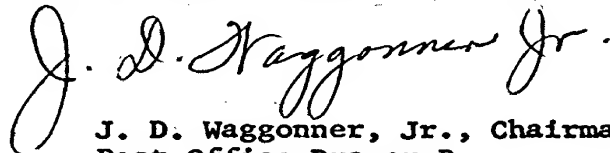
Attached are two copies of a questionnaire prepared in accordance with a resolution adopted at a meeting of the Fourth Congressional District Citizens' Council on November 25, 1958.

The purpose of this questionnaire is to determine your position on the vital matter of the separation of the races in the State of Louisiana. It is the feeling of this organization that everyone in positions of public responsibility who would be directly involved in the event an attempt is made to integrate any of the schools or other public facilities in the Fourth Congressional District should have the opportunity of making known his position with regard thereto.

By the same token, it is felt that the public, and especially that part of it represented by this organization, is entitled to know how each of the teachers and public officials feel on this matter. Your cooperation in this undertaking will be a distinct public service, and will be deeply appreciated by those of us who are sponsoring this program.

Will you please complete the enclosed questionnaire as promptly as possible, and return to the undersigned, at the address given?

**CITIZENS' COUNCIL
FOURTH CONGRESSIONAL DISTRICT**



**J. D. Waggonner, Jr., Chairman
Post Office Drawer B
Plain Dealing, Louisiana**

JDW:fpm

Enclosure

**CITIZENS' COUNCIL
FOURTH CONGRESSIONAL DISTRICT
STATE OF LOUISIANA**

QUESTIONNAIRE

1. Do you favor segregation of the white and Negro races in the public schools? _____

If your answer is "No," please explain your position briefly:

2. Do you favor segregation of the white and Negro races in other publicly owned properties? _____

If your answer is "No," please explain your position briefly:

3. Are you familiar with the objectives of the Citizens' Council organization in the State of Louisiana? _____

4. If your answer is "Yes," please state whether or not you are a member of, or contribute financially to, the support of this organization? _____

5. Are you familiar with the objectives of the N.A.A.C.P.? _____

6. If your answer is "Yes," please state whether or not you are a member of, or contribute financially to, the support of this organization? _____

PLEASE SIGN _____

POSITION _____

PARISH _____

DATE _____

Please complete and return promptly to: J. D. Waggoner, Jr., Chm.
Post Office Drawer B
Plain Dealing, Louisiana

CITIZENS' COUNCIL
FOURTH CONGRESSIONAL DISTRICT
STATE OF LOUISIANA

QUESTIONNAIRE

1. Do you favor segregation of the white and Negro races in the public schools? _____

If your answer is "No," please explain your position briefly:

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5. Are you familiar with the objectives of the N.A.A.C.P.? _____

6. If your answer is "Yes," please state whether or not you are a member of, or contribute financially to, the support of this organization? _____

PLEASE SIGN _____

POSITION _____

PARISH _____

DATE _____

Please complete and return promptly to: J. D. Waggoner, Jr., Chm.
Post Office Drawer B
Plain Dealing, Louisiana

Routing Slip
FD-4 (Rev. 12-13-57)

Date 3-9-59

To

☒ Director

Att.

CENTRAL RECORDS SECTION

FILE # 105-34237-33

☐ SAC

.....

Title

☐ ASAC

.....

CITIZENS COUNCILS

☐ Supv.

.....

☐ Agent

.....

RACIAL MATTERS

☐ SE

.....

☐ CC

.....

☐ Steno

.....

☐ Clerk

.....

ACTION DESIRED

☐ Acknowledge

.....

☐ Prepare lead cards

.....

☐ Assign

Reassign

☐ Prepare tickler

.....

☐ Bring file

.....

☐ Recharge serials

.....

☐ Call me

.....

☐ Return assignment card

.....

☐ Correct

.....

☐ Return file

.....

☐ Deadline

.....

☐ Return serials

.....

☐ Deadline passed

.....

☐ Search and return

.....

☐ Delinquent

.....

☐ See me

.....

☐ Discontinue

.....

☐ Send Serials

.....

☐ Expedite

.....

to

.....

☐ File

.....

☐ Submit new charge-out

.....

☐ Initial & return

.....

☐ Submit report by

.....

☐ Leads need attention

.....

☐ Type

.....

☐ Open Case

.....

☐ Return with explanation or notation as to action taken.

.....

☐ Return with explanation or notation as to action taken.

.....

EX-101

ENCLOSURE

24 MAR 13 1959

R. W. BACHMAN

☐ See reverse side

Office NEW ORLEANS

60 MAR 20 1959

FEDERATION FOR CONSTITUTIONAL GOVERNMENT

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Headquarters:

801 American Bank Bldg., New Orleans, La.

THE MENACE OF HAWAIIAN STATEHOOD

ARTICLE BY By DREW L. SMITH
Member of the Louisiana Bar, New Orleans

One of the most dangerous proposals ever to be presented to the American people for acceptance is the granting of Statehood to Hawaii.

Every effort must be made to awaken the people of this country to the full import of the grave dangers involved, so that public interest may be aroused, and popular opinion directed against the approval of this proposition.

The Geographical Factors

The remoteness of Hawaii with reference to mainland America has been the subject of much discussion, and well it might be, for it constitutes a primary reason why Hawaii should not be granted statehood in this Union.

Consider for a moment the utter isolation of these islands in the mid-Pacific Ocean. The nearest island of the Hawaiian Group is separated from the continental United States by more than 2,000 miles of unbroken Pacific Ocean.

The total area of these islands is only 6,412 square miles, little more than the combined areas of Connecticut and Rhode Island, with channels of from 10 to 75 miles wide separating the principal islands from each other.

The proponents of statehood have attempted to minimize the vast distance the territory lies from the huge bulk of this nation. Much is made of the fact that California was once a disconnected and far-removed state, separated from the main body of the nation by plains, deserts and mountains. But these obstacles, though formidable, were negotiable by land, and it was plain to all that that land would sooner or later become the states they are, and that the gap would be bridged, making California a continuous political subdivision of this Union. Obviously, there is no analogy that can be presented between any of the States and the isolated situation of Hawaii.

It has never been the policy of this government to make states of non-continental lands, much less far-flung islands. Following the

nation of the war with Spain, expansionists endeavored to annex Cuba. It seemed we were about to embark upon a path of imperialism, but wiser counsel prevailed; and though that island lies at our very doorstep, it was deemed best not to venture upon a course of empire building. Few will now deny the wisdom of that decision, though certainly there was better reason to take Cuba as a territory or a state than Hawaii.

A Menacing Precedent

Constituting Hawaii a state would establish a precedent for the admission of other states, some even further removed, as Guam and Samoa. It would open the door to statehood for any and all of the other non-continental American territories and possessions. The bars will be down. The walls will have been breached. They will all, then, have valid claims to come in, for they all stand in the same position as Hawaii. Even foreign countries may be expected to pressure for statehood once non-continental areas are admitted.

If it is contended that the United States is already building an empire, and statehood will not change the situation, the basic point is being overlooked that the United States can presently change her whole relationship with her territories by simply granting them their freedom. The Philippine Islands were a territorial possession and they are now independent, but if the Philippines had been accorded statehood nothing in the future could have been done about it.

The Hawaiian Melting Pot

The Hawaiian archipelago is so far removed from the continents and large islands of the world that they lay uninhabited until the 10th century, when they first became peopled by the native Hawaiian race. For centuries thereafter, the population of the islands was characterized by extreme racial homogeneity, but from the time of discovery by Captain James Cook in 1770,

ENCLOSURE

on up to the present day, there has been a constant and growing heterogeneity of population unequaled anywhere in the world.

This multiracialism of Hawaii is shown by the following table:

**CIVILIAN POPULATION ESTIMATES,
TERRITORY OF HAWAII**
Population By Races, Jan. 1, 1953

	Number	Percent	Number July 1, 1945	Increase or decrease July 1, 1945 Jan. 1, 1953
Japanese	189,219	40.4	176,280	+ 12,939
Hawaiian and part Hawaiian	92,644	19.8	80,760	+ 11,884
Caucasians	69,461	14.8	180,480	- 111,019
Filipino	62,936	13.4	53,640	+ 9,296
Chinese	32,139	6.9	30,530	+ 1,609
Other	22,439	4.7	18,810	+ 3,629

Other includes Puerto Rican, Korean, Negro, Samoan, etc.
Source: Bureau of Health and Honolulu Chamber of Commerce.

The Caucasians Are Rapidly Disappearing In Hawaii

The Caucasians in the Hawaiian Islands constitute a minor part of the population, being vastly outnumbered by the Japanese and substantially fewer than the Hawaiians and part-Hawaiians. The census of 1950 showed the only major decrease of any race in the territory to be the whites, with a minus of 26 per cent from the figure of 1940.

These figures together with those revealed by the above estimate of 1953, conclusively show that Hawaii is not an outpost of American culture, customs and traditions, but an outpost of Oriental heritage with all the age-old tenacity of Asiatic civilization behind it.

If statehood is granted to Hawaii, we will have permanently acquired almost 475,000 people of whom nearly 425,000 are non-white. This means we will have ineradicably digested an Oriental State upon the admission of Hawaii. The new state would fly the American flag, but the people would be as foreign to us as are the inhabitants of Siam.

America An Extension Of European Civilization

The cardinal and crucial fact to be borne in mind is that this nation is an extension of European civilization and has received none of her generative impulse from Asia. It is the blood of Europe that went into the settling of America, and the greatness that has been attained will be perpetuated only so long as that unity of blood remains substantially unimpaired.

The history of every great people has testified to the truth of the proposition that a civilization, large or small, may continue to exist and even grow in power for some time, though the active ingredients which generated its growth

have long since been spent through unwise dispersal and an accompanying continued internal adulteration of stock. We cannot afford to entertain for a moment the suggestion that this initial acquisition of divergent peoples from an out-flung land would not be followed by a succession of similar accretions to no definite limit.

The Japanese Control Hawaii

With a mounting tide of Japanese coming into Hawaii, the President quickly issued a proclamation under the Act of 1907¹ prohibiting the further admission of Japanese labor and by the Immigration Act of 1924,² Congress prevented all immigration from Japan by providing that no alien ineligible to American citizenship would be admitted as an immigrant. But the stoppage of Japanese immigration had come far too late to save the islands from becoming completely dominated by them.

¹Japan, having gained an outpost in mid-Pacific, was assured the holding of it, not only because the Japanese would outbreed all the others, but for the reason that they alone of the Orientals in the islands have shown enough race pride to hold the purity of their blood, with only a little commingling with other races.

In the case of *Farrington v. Tokushige* 11 F (2d) 710, the United States Supreme Court recognized this to be a fact using the following language:

"It is a matter of common knowledge that the Japanese do not readily assimilate with other races, and especially with the white race."

This outstanding quality of the Japanese absolutely insures beyond any dispute that Hawaii is, and will increasingly become, a stronghold of the yellow race under the flag of an Occidental power. Having become American citizens changes only their nationality and not their race, and it is historically always race which is seen to be paramount and never nationality, when the life span of the greatness of a nation or of a civilization is concerned.

The zealous advocates of statehood have bitterly attacked any reference to the Japanese preponderance in Hawaii as creating any peril to America. It is falsely asserted that they never act in concert for their own ends, but invariably subordinate their interests as a group for the good of an Americanized whole.

The fact of the matter is that the Japanese work together as a unit. They are in political control of the islands. The Congressional Record of May 10, 1935, discloses a report compiled by an election inspector in Honolulu covering the Hawaii General election on November 2, 1934, in which the Japanese block voted in order to elect 7 members of Japanese ancestry to the 18 member Hawaiian Senate, and 13 members of

¹21 Stat. 803.
²49 Stat. 153.

Japanese ancestry to the 30 member Hawaiian House of Representatives.

The Hawaiian is predominantly Asiatic, with the Japanese dominating the state that the United States will have acquired.

Communism In Hawaii

A review of the facts will reveal that the threat of Communism in the Hawaiian Islands is very real, and that this nation will acquire a Communist-controlled state if Hawaii is admitted to this Union.

In 1955, when the Honorable Ingram M. Stainback, former Governor of Hawaii, was questioned by the Senate Committee studying the question of the Communist domination of the ILWU (International Longshoreman's and Warehouseman's Union) he, when asked if Bridges' union controls the economic life of Hawaii today, replied:

"There isn't any question about it, not the slightest. They have sugar, pine-apples and transportation right in the hollow of their hands, and those hands are Communist hands, or rather controlled by them."

In September, 1953, Hawaiian dock workers staged a strike in protest of a circuit court's affirmation of the perjury conviction of Harry Bridges. Plantation workers throughout the islands also walked out in sympathy, bringing the Territory the closest it has even been to a general strike. Commenting on this situation in a speech before the United States Senate, which appeared in the Congressional Record of April 13, 1953, Senator James O. Eastland declared:

"Such power is unheard of in the United States. This is a fearful thing. The ability to call a general strike in protest of a decision of the courts of the United States shows tremendous Communist power. For example, they had the power there to close down and interfere with the operation of the great naval base at Pearl Harbor. It speaks for itself. It shows that the Communists control the economic life of the islands. From my knowledge of the subject, it is plain to me that the Communist Party is stronger, more influential, and more powerful in the Territory of Hawaii than was the Communist Party in the average satellite state of Central or Eastern Europe at the time they were taken over.

"Even under the United States flag the economic life of Hawaii is at the mercy of the world Communist conspiracy. The party is so powerful that the politicians have to compromise, yield and hedge because of it. The administrative assistant to the mayor of the City of Honolulu, a city which contains more than half the population of the islands,

is a recognized, noted and powerful Communist. The mayor of this city owes his election to Communist power."

As recently as July 14, 1958, Representative John R. Pillion of New York, commented on the Communist control of Hawaii as follows:

"At the present time in the lower house of the Hawaiian legislature, consisting of 30 members, 22 of those members were elected with the political aid and assistance of Harry Bridges, the ILWU, the UPW (United Public Workers), the Communist Party of the United States and Communist International organizations. Harry Bridges is probably the most powerful Communist figure in the United States who ranks second only to William Z. Foster, the chairman of the Communist Party of the United States. If Hawaii were to be granted statehood there is no question in my mind but that the Senators and one or two Representatives elected from the Territory of Hawaii would be elected only with the aid of the Communist Party, Mr. Bridges, William Z. Foster, Mr. Khrushchev, and the whole group of Communists who are centering their attention at the present time upon the political area and the economy of Hawaii."

Immigration Threat

It is the avowed intention of the Communist world-conspiracy to swamp this country with an immigration of the worst description, so that the American way of life can be undermined and expunged as a result of it. There is reliable evidence that the admission of Hawaii as a state would materially further this objective.

The Congressional Record of March 5, 1953, refers to the publication, "HAWAII, U. S. A., and STATEHOOD," according to which Hawaii had in 1951 a

"total population of 466,329 of which 402,754 were American citizens and 63,575 persons were aliens. The alien population constitutes 13.6 percent of the total population of Hawaii. The estimated alien population of the whole United States is 3 million or about 2 percent. This large alien population in Hawaii far exceeds any State in the Union in proportion to the citizen population."

In testimony before the Senate Internal Security Committee appearing in the Congressional Record of March 4, 1954, Paul Crouch, former Communist, stated:

"Smuggling of aliens from fishing boats and other craft into Hawaii would be easy if Hawaii became a state which is not now a problem since they cannot now come to Hawaii, and from Hawaii to the mainland without examination by

the Immigration Service. If Hawaii becomes a state, this inspection between Hawaii and the mainland would no longer exist. This would make the smuggling of aliens from Asiatic countries to the U. S. a profitable business, and of Communists and trained saboteurs from the Soviet Union."

In judging the wisdom of anything so fatefully portentous in the future of America as the creation of a new state, it is of the utmost relevancy and importance, that those issues which strike at the long-range fundamentals of greatness be discussed, and not the close-up superficialities which affect in no respect the function and the welfare of this nation.

The best solution to the problem is the creation of a Commonwealth of Hawaii following the

pattern already successfully established in the commonwealth of Puerto Rico.

America has reached the crossroads of decision, and tomorrow it may be too late. Shall it be the "United States of the World" an empire, or the "United States of America" a republic?

The Congress must resolutely reject Hawaiian statehood, the first real step toward this empire, for if they do not, the course of world-wide expansion will have been set, bringing with it the representation of far-flung peoples in our home councils that will serve to weaken us just as in the case of France.

In the final analysis, an inevitable result of adding non-contiguous and non-continental States will be the bringing of our enemies permanently into the Union with their foreign ideologies so inimical to our Republic and our basic freedoms.

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ESTABLISHED 1936

South

The News Magazine of DIXIE

FEBRUARY 23, 1959
VOL. 24, NO. 4

Physician, Heal Thyself

ACROSS THE LAND from podium, press and pulpit is being ladled a "better buy now" socialistic soporific. Echoed by brainwashed lotus-eaters within their midst, Southerners are being slipped a soft-voiced, fork-tongued Rx. Take a dram of integration in a solution of weakened states rights annually. Alternative to this political potion, per Myrdal mortar and pestle-ites, is major surgery on Southern customs.

There are three principal social physicians. Reading from left is Sen. Paul Douglas (D-Ill.) and his embittered crew of political psychopaths. Their's is the meat cleaver technique. If a limb of society offends them they'd hack it off. They would have Congress go on record as approving Supreme Court integration edicts, hand out millions of taxpayers' dollars to bribe teetering communities into one-race compliance; give federal lackies power to file court action against those who reject mongrelization; permit the attorney general to institute suits in civil rights cases. This is the "surgical" team that treats its own racial cancers with oratorical whitewash.

President Eisenhower's prescription is a muddled attempt to balance medicine on both shoulders. He only succeeds in drenching South-haters and Southerners alike. He would make it a crime to interfere by force or threat of force with court-ordered desegregation. This would empower federal marshals to arrest anyone regarded an agitator.

And who would determine what is force or threat of force? The same federal courts which have made mockery of constitutional law? The courts which have juggled semantics with the same twisted abandon they have emulsified basic law and social theory?

Would a state's expressed disapproval of and legal defense against court rulings constitute force or violence? Perhaps U.S. Attorney General William P. Rogers would make the decision.

Rogers recently said "People who think constitutional rights depend upon the view of the majority in any given area at any particular moment lack an appreciation of the nature and form of our constitutional government."

How much plainer can he be? DDE's entire plan is nebulous, it even lacks the nauseating and brutal frankness of Douglas' "or else" vendetta. Eisenhower's much-ballyhooed proposals seek to avoid, he assuages, anything that would

"exacerbate the whole situation." Southerners once burned by his "moderate" troops-and-bayonets approach will agree with Jacksonville (Fla.) *Times-Union* in the view that the administration package is an "extreme exacerbation."

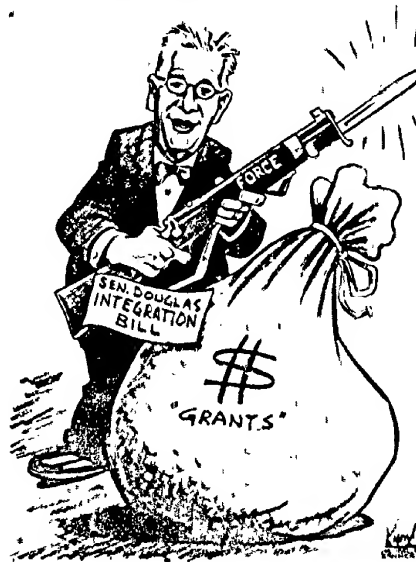
Running like sixty toward 1960, Senate majority leader Sen. Lyndon Johnson (D-Texas) offers a fence-straddling measure of his own, no more acceptable to the South than the Douglas-like purges. Johnson would create a civil rights conciliation service. Its duties would be to spoon "advice" to communities having racial problems. Such advice, obviously, would be one-directional. The South has had a surplus of federalized advice. The ambitious senator's plan might have some merit if "advice" services included Washington, occasionally found their way North.

Facing harsh political facts, there is strong likelihood some form of so-called civil rights measure will be enacted. Northern Democrats and Republicans, equally eager to toady to negro and radical bloc votes in upcoming 1960 are not

likely to pass up an additional opportunity to goad the South. They have the offensive and many votes. The South has the defense, growing stronger daily. Nothing can be gained by surrender or sulking.

The South needs neither Congressional cathartic, executive exculpation nor judicial jumper juice. What the South needs most the South already has - continued defiance founded upon constitutional law.

ANY SOUTHERNER WHO WENT TAKE A BRIM
OUGHT TO BE SHOT!



JACK KNOX—Nashville Banner

SOUTH, the News Magazine of Dixie, is published every other Monday at Auburn, Ala. by Alabama News Magazine, Inc., Hubert Baughn, editor-publisher, V. D. Butler, secretary-treasurer, John Chadwick, associate editor; Clyde Cruse, assistant editor, Earl Tucker, contributing editor, Farmer Seale, advertising director, Richard R. Andrews, advertising representative. Address all correspondence to editorial and business offices, 505 Massey Building, Birmingham 3, Ala. Second class mail privileges authorized at Auburn, Ala. Subscription: one year, \$4, six months, \$2.50, two years, \$7. Dan Hollis, copy editor, E. Fort Ward and John Kempf, production managers. Circulation directors: E. C. Robinson, Mrs. Carrie Bayles. SOUTH's publishers are not responsible for the return of any unsolicited manuscripts, photographs or any other material not expressly ordered by the publishers.

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Vol. I #1, March, 1959, issue 10 MAR 25 1959

"The Police South"

1 Encl.
ENCLOSURE
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See reverse side

66 MAR 30 1959

SAC

R.W. BACHMAN

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he was "not interested in future
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Vol. 1 - No. 1

March, 1959

New Orleans, La.

IS LYNDON JOHNSON A TOOL OF THE RADICALS?

By Kent Couriney

For the first few months of his service in the Senate the unofficial nickname given to the then junior Senator from Texas was "LANDSLIDE LYNDON" which referred to the fact that he won his election by a mere 57 votes out of a million votes cast. This was back in 1949 when Lyndon ran against the popular Governor, Coke Stevenson. The 57 vote margin was provided by questionable Precinct 13 in George Parr's Duval County.

During his service as a member of the lower House, Johnson became famous as the errand boy for New Dealer Franklin Roosevelt and at times he tried Sam Rayburn by prematurely leaking news about coming legislative moves before Mr. Sam had given his official puppet-like nod to whatever FDR demanded.

"COMPROMISE JOHNSON" is another nickname that has been aptly applied because the South has been "compromised" indeed - "sold down the river" in a more accurate term! Here are some of the four "compromises" that "COMPROMISE JOHNSON" has committed to the compromising appeasement of the left-wing press:

1. In 1957 Johnson steered through the Senate a so-called "civil rights" bill for which most Southerners agreed to vote under the patronage "lash" of Johnson. Senator J. Strom Thurmond found it not acceptable at all and conducted his valiant filibuster which was of so avail his most of the other so-called Conservative Democrats went along with the measure. After the passage of the civil rights bill radical-liberals like Senators Humphrey and Javits stated on the floor of the Senate that the Democrat Party could "thank" Johnson for this strong civil rights bill. This is the bill which set up the infamous civil rights commission which is now meddling around in the local courts of Alabama, and interfering with the rights of local communities to control their own voter qualification laws.

2. In 1958, under the leadership of "SENATOR CRAZY JOHNSON", the Democrat Party voted to give the Bureau some

See JOHNSON...Page 7

Atty. Gen. Rogers Threatens To Use Economic Weapon

(Reprinted from the Charleston, S. C. NEWS AND COURIER)

When ring rule flourished in American cities the oldtime politicians let it be known that those who didn't vote right wouldn't receive special favors or cushy city jobs.

The old-style boss, who wore a checked vest and chewed cigars, has disappeared from American political life. But crude threats are still the stock in trade of some political operators.

U. S. Atty. Gen. William F. Rogers, like his predecessor, Southern Democrat, W. C. Clegg, is a new-style political boss. Though he is as much a grey flannel type as any young executive and is shown on TV playing basketball with his children, he deals in crude threats.

Mr. Rogers warned communities suffering "tensions from racial prejudice" that they must reckon with "economic implications."

The nation's chief legal officer didn't bother to veil his threat. He stated that the federal government, in determining the location of new or expanded facilities, would give consideration to "the availability of public schools and other public conveniences as a matter of fairness and justice to the personnel who will be on duty there."

The threat is clear: Mix the races in public schools or expect military installations to be built or shut down.

We shall not predict the effect this will have. American character has been eroded by a quarter century of the welfare state. Many citizens have become accustomed to being lobbied by officials of a government that once belonged to them. Today bureaucrats, Mr. Rogers included, are masters, not servants of the people.

We hope that Southerners will not be terrified into submission by the crude threats uttered by Mr. Rogers. Citizens who allow themselves to be governed by fear, will lose their liberties and may never regain them.

(Editor's note: Atty. Gen. Rogers hasn't waited long to begin carrying out his strategy. The announced closing of P. C. in New Orleans will probably be only the beginning.)



What is THE SOLID SOUTH?

This is the first issue of THE SOLID SOUTH.

WHAT IS THE PURPOSE?

One purpose of THE SOLID SOUTH is to bring to Southern readers the "whole picture" in one publication of what is happening throughout the South in the field of politics. "Politics" is now everybody's business because the Federal Government has rules and regulations concerning (a) your wages (b) your income (c) how you run your business and (d) how you educate your children. Another purpose is to show, by reprinting editorials from Conservative Southern newspapers, how the South is beginning to stir, beginning to show its righteous resentment against those Southern Democrat leaders whose personal ambitions makes them put the anti-South National Democrat Party FIRST - and their own constituents, the "bills back home", LAST!

WHAT IS THE PROBLEM?

The problem is that Southern voters have been disenfranchised. They have lost their right to vote for a candidate of their choice! As long as Southern political leaders pledge "loyalty" to the Liberal, anti-South National Democrat Party, then Southern voters no longer have a CHOICE. They either vote in presidential elections for the anti-South Democrat candidate - or they don't vote!

WHAT IS THE SOLUTION?

One solution is a Southern "walk-out" from the National Democrat Party BEFORE THE NATIONAL CONVENTION in 1960! Then, the truly Conservative Southern leaders will be able to form the nucleus for a new National Conservative Party.

Both major parties stand for the same Liberal-Socialist "soft" or Communist policies. Both major parties are trying to out-do the other on strong Civil Rights planks and plans for bigger and bigger squandering of the taxpayers' dollars in wasteful and unnecessary Federal spending.

Therefore, this new Conservative Party will not be a "third party" it will be the SECOND party! Only when this new Conservative party is established, will Americans again have a two-party system! Only then, will the American voter have a real CHOICE as the polls on election day between a Liberal and a Conservative.

PAUL BUTLER WRITES OFF THE SOUTH

Wishful thinking is not only a waste of time, but it can, under some circumstances be downright dangerous!

Only wishful thinking on the part of some Southern Democrat leaders allows them to continue kidding themselves that they can maintain their personal self-respect, continue to truly represent their constituents, remain loyal to the Democratic principles of Jefferson, and at the same time remain "LOYAL" TO THE ANTI-SOUTH NATIONAL DEMOCRAT PARTY!

With bloody AND bowed heads, Southern Democrat leaders continue to be on the receiving end of the insults hurled at them and the South by the South-facing National Chairman of the Democrat Party, Paul Butler.

The "walk-out" of the Southern Democrat leaders is based partly on the false premise that the South still has some influence in the policy-making of the National Democrat Party, and partly on their desire to hold on to key Congressional Chairmanships.

Stevie Yeadley dictates, however, that Paul Butler and the National Democrat Party have long since "written off" the South as not only an unnecessary appendage to the Democrat Party but as a definite liability in their quest for minority bloc votes. When asked what would happen to the National Democrat Party if the South should "walk out", Paul Butler arrogantly replies that the Democrat Party

See BUTLER...Page 8

Would Support A 3rd Party Says Rivers

Speaking before a public meeting of the Citizens Councils in Charleston, S. C., last Fall, Congressman E. Wendell Rivers of South Carolina stated: "It is highly imperative that organizations like the Citizens Councils, dedicated to lofty ideals, flourish." Congressman Rivers then declared that all people who stand against Liberalism must band together and do so now, because the new Congress will be much more Liberal. And, then Congressman Rivers continued: "Now you ask me, 'where do we go from here?' I don't know." He then went on to say: "We in the South don't have a voice big enough to change the policy of our fathers."

And then, referring back to the role of the Citizens Councils in the South, Congressman Rivers stated: "We may need this nucleus for the course which we may be forced to take. And I mean a third party... A realignment of parties... A third party would have my support."

Office Memorandum • UNITED STATES GOVERNMENT

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ATTN: CENTRAL RESEARCH SECTION

DATE: 3/27/59

FROM : SAC, NEW ORLEANS (105-761)

SUBJECT: ASSOCIATION OF CITIZENS COUNCILS
OF LOUISIANA, INC.
RACIAL MATTERS

Re Bureau routing slip, 3/18/59 requesting
the February, 1959, and March, 1959, issues of "The
Councilor Newsletter."

Volume 3, No. 2 of "The Councilor Newsletter"
dated March, 1959, was forwarded to the Bureau by routing
slip on March 17, 1959.

Mrs. FRANCIS MIMS, Editor, "The Councilor News-
letter," advised that a February issue was not published.
It is noted that the March, 1959, issue of "The Councilor
Newsletter" is Volume 3, No. 2.

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105-34237-33-44

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☐ See reverse side

50 APR 14 1959

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3 - ENCLOSURE

CENTRAL RESEARCH



Address by Hon. Hugh G. Grant on
School Integration in the South

HON. STROM THURMOND

Thursday, February 14, 1958

Both Virginia and Georgia appear to be headed for the ultimate abandonment of their public schools. This has resulted in a rising tide of opposition in both States on the part of many white people who do not appear to be willing to pay this price for the retention of segregation. This was reflected at the State level in the terms of Governor Vandiver's House floor leaders, Frank Twitty, indicating the possibility of

"Was this revolution and others like it simply lambastant gestures? So it would appear, since practically every official fact against racial integration as far has been a delaying action, involving legal quibbling, subterfuge, even denial in the Federal courts on the part of State officials that the ques-

Such direct political action is the only way to free the millions of grassroots sick throats in the South, who believe in the separation of the races, out of the fog. It would be a great alert the people of the entire North to the fact that State sovereignty is not a dead issue very much alive. It could turn the tide. Let's try it, my fellow citizens.

~~X~~FEDERATION FOR CONSTITUTIONAL GOVERNMENT

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~~X~~INTERPOSITION — THE NEGLECTED WEAPON

by DREW L. SMITH

Member of the Louisiana Bar, New Orleans

As a result of the United States Supreme Court decision of May 17, 1954, invalidating segregation in the public schools of the nation, the Southern States, with approximately three-fourths of the negroes in this country, have been thrown into such turmoil as they have not known since the dark days of Reconstruction.

Once again the power of the Federal Government is being employed to coerce the South into a rapid racial integration in all public institutions.

Since the enunciation of the above position the South has determinedly sought to find a legal solution to contain the race problem within the bounds of segregation, so ardently developed over the generations.

This is being done in order that the white and negro people of this region may continue to live together on a peaceful basis, and in order that the racial integrity of the two races may be perpetuated for the general welfare of all concerned.

Indeed, it is also being done not just for these purposes alone, but to preserve the principles of States' Rights and Constitutional Government for all people everywhere in this nation.

INTERPOSITION

In her search for a means to accomplish this there suddenly appeared on the horizon the word "Interposition." Editors and publishers throughout the South, and some in the North, thoroughly explained in many editorials how in individual states, among them some Northern States, in many instances, had successfully interposed the States power to protect the people of the State from an unconstitutional act of any branch of the Federal Government.

One of the best examples of interposition came from the North, and we may refer with profit to what happened in the State of Wisconsin concerning fugitive slaves.

Under the Federal Fugitive Slave Act of September 18, 1850, United States Marshals were empowered to arrest fugitive slaves in any of the states of the Union and return them to their former masters. Sherman Booth, a Wisconsin editor, was charged under this Act with unlawfully aiding a fugitive slave from Missouri to escape from the lawful custody of a United States Marshal. Booth applied for a writ of habeas corpus to the Supreme Court of Wisconsin, alleging in his application that the Fugitive Slave Act under which he was arrested and imprisoned was unconstitutional and void.

The language of the Court in declaring the Act unconstitutional, and the freeing of Booth from custody, is such a forceful presentation of States' Rights and so appropriate and timely to the segregation problem in the South today that it is quoted from extensively as follows:

"Justice Smith. I would gladly escape from deciding upon a question so grave as to whether the Act of Congress is unconstitutional and void, but I believe the last hope of free, representative and responsible government rests upon the State sovereignty, and fidelity of State officers to their double allegiance to the State and Federal Government. To yield acquiescence in, and support to, every power constitutionally exercised by the Federal Government, is the sworn duty of every State officer; but it is equally his duty to interpose a resistance to the extent of his power, to every assumption of power on the part of the Federal Government, which is not expressly granted or necessarily implied in the Federal Constitution.

"Nor can I yield to the doctrine early broached, but as early repudiated, that any one department of the government is constituted the final and exclusive judge of its own delegated powers. No such tribunal has been created by the fundamental law.

"The judicial department of the Federal Government is the creature by compact of the States, as sovereignities, and their respective people. That department can exercise no power not delegated to it. All power not delegated, and not prohibited to the States, the States have expressly reserved to themselves and to the people. To admit that the Federal judiciary is the sole and exclusive judge of its own powers and the extent of the authority delegated, is virtually to admit that the same authority may be exercised by every other department of the general government, both legislative and executive, because each is independent of, and coordinate with the other. Neither has any power but such as the States and their respective people have delegated and all power not delegated remains with the States and the people thereof. The power of the Federal Government depends solely upon what the States have granted.

"I solemnly believe that the last hope of free representative and federal government rests with the States. Excess of influence and patronage on the part of the federal government, naturally leads to consolidation, consolidation to despotism, and ultimate anarchy, dissolution of its attendant evils. Without the States there can be no union, the abrogation of state sovereignty is not

ENCLOSURE

a dissolution of the union by an abrogation of its elements.

"The constitution not only confers powers upon the federal government but it guarantees rights to the States and to the citizens. The States have not one single attribute of power or sovereignty from the constitution of the United States. They were pre-existing sovereignties. The federal government is one of the delegated powers, the state government is one of inherent or reserved powers; the former competent to act only within the sphere prescribed by the constitution, the latter exercising all the functions of sovereignty not delegated or relinquished by that instrument. A judicial determination without the constitutional sphere would be no judgment or decree."

Following the above decision Booth was again charged and convicted in the United States District Court in 1855, and once again was freed by the Wisconsin Supreme Court. Later in the year the United States Supreme Court issued a writ of error which the Wisconsin Supreme Court ignored, even refusing to send up the record. The record was finally obtained by the Supreme Court in 1857. In 1858 the Supreme Court reversed the judgment of the Wisconsin Supreme Court. When the State courts refused to enforce the judgment of the United States Supreme Court, Booth was rearrested in 1860 by a United States Marshal, only to obtain a pardon in that same year from President Buchanan.

As a result of the decision in *Ableman v. Booth*, the Wisconsin legislature enacted a resolution of interposition in 1859 which is briefly quoted from as follows:

"Resolved: That the government formed by the Constitution of the United States was not made the exclusive or final judge of the extent of the powers delegated to itself; but as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself as well of infractions as of the mode and measure of redress . . . that the several states which formed that instrument, being sovereign and independent, have the unquestionable right to judge its infraction, and that a positive defiance by these sovereignties of all unauthorized acts done or attempted to be done under color of that instrument is the right remedy."

Most of the other northern states enthusiastically supported the action taken by Wisconsin in interposing the power of the state, to check unconstitutional and unlawful acts of the Federal Government.

SOUTHERN STATES PROVIDING FOR INTERPOSITION

Observing what had been so effectively done by the northern states on the issue of slavery, convinced the south that this was the answer to her segregation problem, and one after another the southern states passed Resolutions and Acts of Interposition.

By Act No. 42, Special Session, 1956, the Alabama Legislature, enacted a Resolution of Interposition declaring therein,

"That until the issue between the State of Alabama and the General Government is decided . . . by a suitable constitutional amendment . . . that the Legislature of Alabama declares the decisions and orders of the Supreme Court of the United States relating to separation of races in the public schools are, as a matter of right, null, void and of no effect; and the Legislature of Alabama declares to all men as a matter of right, this State is not bound to abide thereby."

Ableman v. Booth, 22 U.S. 255
Federal Cases of Wisconsin, 1859

Georgia in House Resolution No. 185 of the 1956 Session of the General Assembly, the Senate Concurring provided for interposition in the following language:

"That the decisions and orders of the Supreme Court of the United States relating to the separation of the races in the public institutions of a state are null, void and of no force or effect."

Mississippi in Resolution No. 125 of the 1956 Regular Session of the Legislature set forth her position on interposition in the following words:

"We do hereby declare the decisions and order of the Supreme Court of the United States of May 17, 1954, and May 31, 1955, to be a usurpation of power reserved to the several states and do declare as a matter of right, that said decisions are in violation of the Constitutions of the United States and the State of Mississippi, and therefore, are considered unconstitutional, invalid and of no lawful effect within the confines of the State of Mississippi."

South Carolina enacted a Resolution of Interposition by Act of the General Assembly dated February 14, 1956, stating that,

"The State of South Carolina as a loyal and sovereign State of the Union will exercise the powers reserved to it under the Constitution to judge for itself of the infractions and to take such other legal measures as it may deem appropriate to protect its sovereignty and the rights of its people."

Virginia provided for interposition in Joint Resolution No. 3 of the General Assembly on February 1, 1956. The Resolution states:

"that by its decision of May 17, 1954, in the school cases, the Supreme Court of the United States placed upon the Constitution an interpretation, having the effect of an amendment thereto, which interpretation Virginia emphatically disapproves; that until the question here asserted by the State of Virginia be settled by clear Constitutional amendment, we pledge our firm intention to take all appropriate measures honorably, legally and constitutionally available to us, to resist this illegal encroachment upon our sovereign powers."

Louisiana by House Concurrent Resolution No. 10 of the 1956 session of the Legislature provided for interposition in these terms:

"The Legislature of Louisiana does hereby solemnly declare the decision of the Supreme Court of the United States of May 17, 1954 . . . to be in violation of the Constitution of the United States, and of the State of Louisiana, and we declare, further, our firm intention to take all appropriate measures honorably and constitutionally available to us, to void this illegal encroachment upon the rights of the several States."

In House Concurrent Resolution No. 174 adopted by the Legislature of Florida on May 2, 1957, interposition was provided for in the following terms:

"That the Legislature of Florida denies that the Supreme Court of the United States had the right which it asserted in the school cases decided by it on May 17, 1954 . . . to enlarge the language and meaning of the compact by the States in an effort to withdraw from the States powers reserved to them and as daily exercised by them for almost a century . . . It is the duty of the State in flagrant cases such as this to interpose its powers between its people and the effort of said Court to assert an unlawful dominion over them; Therefore, be it resolved that said decisions and orders of the Supreme Court of the United States denying the individual states

foreign states the power to enact laws relating to the separation of the races in the public institutions of a State are null, void and of no force or effect.

Tennessee in House Resolution No. 1 enacted January 17, 1957, by the General Assembly denounces the decisions of the United States Supreme Court in the school segregation cases and resolves therein:

"That the House of Representatives, in cooperation with the Senate, pledges its firm intention to take all appropriate measures, honorably and legally available, to resist any and all illegal encroachments upon the powers reserved to the State of Tennessee in order to control its own domestic institutions according to its own exclusive judgment."

The State of Arkansas provided for interposition by means of initiative petitions which were approved by the people at a general election providing for Constitutional Amendment No. 47 which reads in part as follows:

"The General Assembly of the State of Arkansas shall take appropriate action and pass laws opposing in every Constitutional manner the Un-Constitutional desegregation decisions of May 17, 1954, and May 31, 1955, of the United States Supreme Court including interposing the sovereignty of the State of Arkansas to the end of nullification of these and all deliberate, palpable and dangerous invasions of or encroachments upon rights and powers not delegated to the United States nor prohibited to the States by the Constitution of the United States and Amendments thereto."

Texas by House Concurrent Resolution No. 33 at the 1955 Regular Session of her Legislature provided for interposition thusly:

"The Legislature of the State of Texas is the appropriate body under mandate from the people of Texas to intervene between Federal encroachment and state sovereignty;

"Resolved that the sovereign State of Texas intervenes and registers officially its objection on behalf of its people to the effort of the Federal Government to assert an unlawful dominion over her citizens and . . . Texas declares her firm intention to take all appropriate measures honorably, legally and constitutionally available to the State to resist illegal encroachment upon her sovereign power . . ."

The Legislature of North Carolina did not provide for interposition, being the only State in the South failing to do so.

HAS THE SOUTH USED INTERPOSITION?

Now, what have the southern states done to utilize the Resolutions and Acts of Interposition so hopefully adopted by their Legislatures?

A search of the records shows that it has been employed only three times, but in each instance was successfully used.

(1) In the first instance, interposition was used by Governor Allan Shivers of Texas.

The action of Governor Shivers grew out of the decision in the case of *Jackson v. Rawdon*, 235 F. 2d 93, pursuant to which the United States District Court, Northern District of Texas entered a decree on August 27, 1956, ordering the admission of negro children to the Mansfield High School, Mansfield, Texas, and forever restraining the Mansfield School District officials, and all other persons acting in concert with them, from refusing admission of the negro pupils to the Mansfield High School.

As a result of this decree, disorders developed at the

school and then Governor Shivers issued the following statement on August 31, 1956, which effectively interposed the sovereignty of the State of Texas to prevent the admission of the negro students to the Mansfield High School:

"Under the general powers of the Governor to enforce the laws and see that order is kept in Texas, I have instructed Colonel Garrison to send Texas Rangers to Mansfield to cooperate with local authorities in preserving the peace. I have talked by telephone with B. L. Huffman, superintendent of the Mansfield schools, and have wired O. C. Rawdon, president of the Mansfield School Board, urging that the Board go ahead and transfer out of the district any scholastics, white or colored, whose attendance or attempts to attend Mansfield High School would reasonably be calculated to incite violence. Should the resulting actions on part of the Mansfield school authorities be construed as contempt of the federal courts, I respectfully suggest that the charge should be laid against the Governor and not the local people."

To this date, as a result of the Governor's act of interposition, no negro children have entered the Mansfield High School.

(2) In the second instance, interposition was asserted by the Virginia Supreme Court in the case of *Naim v. Naim*, 87 S. E. 2d 749.

That Court held a marriage void that was in violation of a Virginia miscegenation statute. The United States Supreme Court held on appeal that the constitutionality of the Virginia statute was not squarely before it, and remanded the case to the Virginia court for clarification of the issues. Whereupon the Virginia Supreme Court held there was no provision in Virginia practice whereby the case could be reopened in the trial court and thus must adhere to its original opinion (90 S. E. 2d 849). In a per curiam opinion the United States Supreme Court denied a motion to set the case down for oral argument, holding that the case was devoid of a properly presented federal question.

The decision of the Virginia Supreme Court remains unchanged up to the present time.

(3) In the third instance, interposition was invoked by the Florida Supreme Court in the case of *the State of Florida, ex rel. Virgil D. Hawkins v. The Board of Control, et al.*

This action was commenced by a negro who sought admission to the Law School of the University of Florida in 1949. On appeal to the United States Supreme Court, that court held after the decisions in the school segregation cases that the negro must be admitted. The Florida Supreme Court held that he could not be admitted to the school because it would lead to violence in the university communities, and that it would bring about a serious disruption of the university system. Following this action, the United States Supreme Court denied a writ of certiorari to the plaintiff bringing about the withdrawal of his application for admission to the school.

From its early history to this date, interposition has always succeeded in the hands of a governor or a state court that has had the desire and the courage to use it with determination.

Stripped to its simple definition, interposition is the right of a state to interpose its sovereign authority against a violation of the Constitution by the Federal Government.

Interposition has never failed. Interposition will succeed now, if our southern governors and state courts will stand firmly upon the rights of the state.

Mr. Peter Johnson
P. O. Box 1549
New Orleans, La.

INTERPOSITION—THE NEGLECTED WEAPON

Y O U M U S T A C T

INTERPOSITION CAN BE EFFECTIVE

WRITE YOUR GOVERNOR AND OTHER PUBLIC OFFICIALS (SEE AND TALK TO THEM PERSONALLY, IF POSSIBLE) See or give to them this pamphlet. Get others to do likewise. ORGANIZATIONS OR INDIVIDUALS DESIRING QUANTITIES FOR DISTRIBUTION, WILL BE SUPPLIED SAME UPON REQUEST.

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SOUTHERN GOVERNORS
THE PEOPLE EXPECT YOU TO ACT

In view of the successful northern use of interposition, and the successful and effective employment of interposition in the South, the Governors of the southern states should immediately utilize the Resolutions, Declarations and Acts of Interposition made available to them by the Legislatures, or the people, of their respective states.

Certainly the Legislatures, or the people, of the various states that passed Resolutions of Interposi-

tion did not do so for the purpose of allowing them to remain unused as meaningless gestures in this fundamental struggle to maintain the balance between Federal and State power.

Interposition is indeed the neglected weapon, not to be used to defy Federal power, but to contain that power within its proper constitutional limits, so that our State sovereignties may be preserved as the best guarantee of our constitutional freedoms in this great Republic.

FEDERATION FOR CONSTITUTIONAL GOVERNMENT

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237-33)
ATTENTION: CENTRAL RESEARCH SECTION

DATE: 1/15/60

FROM : SAC, New Orleans (105-761)

SUBJECT: ASSOCIATION OF CITIZENS COUNCILS
OF LOUISIANA, INC.
RACIAL MATTERS

Re Form 5-1, dated January 12, 1960, requesting advice as to a previous Form 5-1 sent by the Bureau to New Orleans dated December 17, 1959. The latter form was not received at the New Orleans Office.

The November and December, 1959, issues of "The Councilor Newsletter" were not received by this office from the publisher. A letter has been directed to the publisher asking that copies of these two issues be immediately forwarded.

The Bureau will be advised upon receipt of a reply from the publisher.

2 - Bureau (RM)
1 - New Orleans
EFD:eo
(3)

REC- 68

105-34237-33-46

10 JAN 19 1960

A. Butler
CENTRAL RESEARCH

62 JAN 20 1960

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (105-34237-33)

DATE: 2/1/60

FROM : SAC, New Orleans (105-761)

SUBJECT: ASSOCIATION OF CITIZENS COUNCILS
OF LOUISIANA, INC.
RACIAL MATTERS

Remylet 1/15/60.

Letter dated 1/27/60 has been received from Mr. JOHN S. GARRETT, President, Association of Citizens' Councils of Louisiana, Inc., in which he advised that the November and December issues of "The Councilor" were not published because the Association was forced to curtail publication of the newsletter immediately following the October issue. Mr. GARRETT stated that the Association is in the process of re-financing their operations and that it is hoped they will renew publication of "The Councilor" at an early date.

As soon as a copy of the publication is received, it will be forwarded to the Bureau.

② - Bureau (RM)
1 - New Orleans
MRK:eo
(3)

REC-96

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62 FEB 10 1960

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